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Minnesota Lawyers Evaluate Law Schools, Training and Job Satisfaction

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Minnesota Lawyers Evaluate Law Schools, Training and Job Satisfaction

Abstract

The MacCrate Report was published in 1992 and detailed the findings of a task force established by the American Bar Association. The purpose of the task force was to examine a perceived “gap” between legal education and law practice. The Report concluded that law schools needed to affirm their commitment to train students to practice effectively in the legal profession. This article analyzes the results of several surveys, each seeking to determine to what extent law schools provided Minnesota lawyers consistent training in the practice skills areas identified in the MacCrate Report. The findings discussed in this article were gleaned from a survey of Minnesota lawyers, conducted from 1997-1999 and a survey of William Mitchell College of Law Students who had completed the Legal Practicum course. The survey was designed to study how well prepared Minnesota lawyers felt after law school in seventeen legal practice skills and nine management skills, to what extent those skills were important, and from what sources they received those skills. These results are found in Part II. The responses in part II were compared based on demographic information including gender, age, location, and type of law practice. These results are detailed in Part III. The article then provides suggestions on how law schools could tailor their curriculums to achieve the goals set forth in the MacCrate Report.

Keywords

MacCrate Report, Minnesota law schools, legal education, practical skills, law school curriculum

Disciplines

Legal Education | Legal History

Comments

This article is co-authored by David Camarotto, J.D., William Mitchell College of Law; 2000; B.A. St. John's University, Minnesota.

MINNESOTA LAWYERS EVALUATE LAW SCHOOLS, TRAINING AND JOB SATISFACTION[©]

John Sonsteng[†]
with David Camarotto^{††}

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I. INTRODUCTION

One hundred and fifty years ago aspiring lawyers received remarkably little formal education in the law. Most trained as apprentices in law offices where training was unstructured and uneven. Although certified lawyers were prepared to do the lawyer's business, the profession could not guarantee the quality of the practitioner. As the complexity of the law and demands on lawyers grew, so did the demand for more consistently trained members of the profession. In the 1870s, Christopher Columbus Langdell, Dean of Harvard Law School, along with Charles William Eliot, developed what would become the "prototype for model legal education in the United States: the three-year, postgraduate sequenced curriculum of private-law courses staffed by a faculty of full time academics teaching by the 'case method'—the interrogation of students primed with the reading of appellate cases."¹

The American Bar was dissatisfied with how well law schools prepared graduates for the actual practice of law, and, in 1989, the

1. Robert W. Gordon, *The Case for (and Against) Harvard*, 93 MICH. L. REV. 1231, 1231 (1995).

American Bar Association established a task force to examine a perceived “gap” between legal education and law practice.² The task force published its study in 1992 (the MacCrate Report), finding that law schools, while committed to practice skills instruction,³ needed nonetheless to affirm their commitment to train students to practice effectively in the legal profession.⁴ In 1997, we undertook a study to determine to what extent law schools provided Minnesota lawyers consistent training in the important practice skills areas identified by the MacCrate Report. We divided “training” into two categories: legal practice skills and management skills. We constructed our list of legal practice skills from the MacCrate Report⁵ and an earlier survey⁶ of lawyer preparedness. We borrowed our list of key practice management skills from another survey.⁷

We surveyed Minnesota lawyers between October 17, 1997 and August 12, 1998 and again between August 10, 1999 and September 30, 1999.⁸ We also relied on an earlier survey of William Mitchell College of Law (WMCL) students who had completed the Legal Practicum course.⁹ We designed the survey instrument to study how well prepared Minnesota lawyers felt after law school in seventeen legal practice skills and nine management skills. We also asked to what extent Minnesota lawyers felt those skills were important and from what sources they received those skills. Those results are reported in Part II. We asked for demographic information to compare responses based on gender, age, location, and type of law practice. We also measured job satisfaction, and those results are reported in Part III.

The results indicate that law schools may not be achieving the

2. See ABA SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT—REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP 3 (1992) [hereinafter MACCRATE REPORT].

3. See *id.* at 6.

4. See *id.* at 330 (providing recommendations for enhancing professional development during the law school years).

5. See *id.* at 138-40.

6. See Bryant G. Garth & Joanne Martin, *Law Schools and the Construction of Competence*, 43 J. LEGAL EDUC. 469 (1993).

7. See generally THE LAWYER'S HANDBOOK: HOW TO EFFECTIVELY, EFFICIENTLY AND PROFITABLY MANAGE YOUR LAW FIRM (Austin G. Anderson et. al. eds., 3d ed. 1992).

8. See *infra* Appendix B and C (the survey instruments).

9. See *infra* Part II.A.3.

goals they set out for themselves in the late 1800s. This is not to say that the law schools have failed. In the areas to which they address their attention, graduates perceive themselves to be well prepared and perceive the law school curriculum to be a significant source of training. These skill areas are: (1) ability in legal analysis and legal reasoning; and (2) written communication.¹⁰ In the other legal practice skill areas and in all of the management skill areas, law school training does not provide a significant source of training.¹¹ In these areas experience seems to be the main source of training without the former apprenticeship system's actual requirement that attorneys learn at the knee of an experienced attorney. The training is left up to the individual lawyer, for better or worse.

The survey results suggest that law schools' role in providing training in these legal practice and management skills can be increased by formal simulated experience. Students who took William Mitchell College of Law's Legal Practicum, where simulations form the core of the course, were significantly more likely than other law school graduates to credit law school as a source of their training.¹² Practicum students were also more likely than other William Mitchell College of Law and Non-William Mitchell students to feel prepared for practice after law school.¹³ Female students were especially likely to benefit from law school simulations.¹⁴

We do not take issue with the original objectives that prompted the development of three-year formal legal training. We contend, rather, that the method has failed to deliver on its promise. Our survey results point to a "focus area," skills perceived as important but for which lawyers do not feel well prepared after law school.¹⁵ We suggest that formal simulated training directed particularly toward focus areas would yield substantially better returns in lawyers' perceptions of preparedness following law school. We believe that simulations offer the most cost-effective approach for on-going skills training. We also believe that all educational strategies should be employed. The use of non-tenured teachers, closely supervised adjuncts, non-lawyer professionals and the best distance-learning techniques will improve training and reduce costs. Such

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10. See *infra* Table 1.
 11. See *infra* Tables 1, 9.
 12. See *infra* Table 5.
 13. See *infra* Table 5.
 14. See *infra* Table 8.
 15. See *infra* Figure 1.

training would produce the consistently competent and satisfied lawyer that Langdell and others sought more than one hundred and fifty years ago.

II. LEGAL PRACTICE SKILLS TRAINING

The first section analyzes Minnesota lawyers' perceptions of how well their formal legal education trained them in a variety of legal practice and management skill areas. William Mitchell College of Law, like many other law schools, prides itself in providing a legal education that "connects theory with practice."¹⁶ We won-

16. William Mitchell College of Law's Mission Statement, adopted March 21, 1992, provides:

William Mitchell College of Law is committed to its tradition of making a high-quality legal education accessible to a diverse and talented student body. The College provides resources for realizing the individual potential of persons with a wide variety of life experiences and persons who choose to work or pursue other responsibilities while attending law school. The College challenges students to think critically, to acquire the skills of the profession, to integrate personal values with ethical and professional standards, emphasizing respect for all people. The College is dedicated to improving the quality of justice through service to the legal profession.

William Mitchell College of Law's focus statement states the following:

Special Emphasis on Non-Traditional Students

While serving a diverse student body, William Mitchell College of Law has a special emphasis on providing non-traditional students the opportunity to earn a law degree. Non-traditional students include those who have family, employment, or other obligations that impose significant time and scheduling problems. Our non-traditional students often work full-time or nearly so during their law school years; they often have been away from a formal academic setting for several years; and they sometimes are single parents. They share a commitment to earning a law degree, with our help, in spite of these obstacles.

Flexible Program and Schedule

The College supports all its students by offering courses, programs, and services on a flexible schedule that includes both day and evening hours.

Ethics and Skills Training

The College offers a multi-purpose academic program, which emphasizes ethics and skills training across the curriculum and which focuses on subjects that are important to the practice of law. The curriculum is designed to support the career goals of those who wish to enter the traditional practice of law, as well as of those who wish to use a legal education to advance a non-legal career.

Affordable Legal Education

The College seeks to provide financial assistance to all its students

dered if the current methods of instruction at William Mitchell College of Law and other law schools provided graduates with sufficient legal practice and practice management skills training. The survey results indicate that in nine of seventeen important legal practice skills more than fifty percent of Minnesota lawyers did not perceive themselves to have been well prepared upon graduation from law school.¹⁷ In addition, the most significant source for nearly all of the seventeen legal practice skills was the attorney's own experience.¹⁸ These results were compared with the results of two previous studies: the 1975-76 Frances Kahn Zemans and Victor G. Rosenblum Study and the 1991-92 study conducted by Bryant G. Garth and Joanne Martin.¹⁹

A. *Legal Skills*

The 1992 MacCrate Report²⁰ identified ten fundamental lawyering skills:

1. Problem Solving;
2. Legal Analysis and Reasoning;
3. Legal Research;
4. Factual Investigation;
5. Communication;

through a combination of scholarships, loans, loan forgiveness, law school and outside employment opportunities, and donor support. It controls its costs by careful selection of the services it provides and by regular evaluation of the efficiency and effectiveness of its operations.

Excellence in Teaching

The College is committed to excellence in teach and aspires to be a leader and innovator in legal education.

Connecting Theory and Practice

The College values and supports education, research, and public service, which connect theory and practice and is committed to the use of adjunct faculty as an effective method of connecting theory and practice.

Commitment to Service and to Improving the Quality of Justice

The College is a law center for the community. It provides educational programs for the legal profession and the public, and is a resource to help improve the quality of our justice system.

William Mitchell College of Law Mission Statement and Focus Statement(on file with author).

17. *See infra* Table 1.

18. *See infra* Table 6.

19. *See infra* Part II.A.2.

20. *See supra* note 2.

6. Counseling;
7. Negotiation;
8. Litigation and Alternative Dispute Resolution Procedures;
9. Organization and Management of Legal Work; and
10. Recognizing and Resolving Ethical Dilemmas.²¹

21. MACCRATE REPORT, *supra* note 2, at 138-40.

Fundamental Lawyering Skills

Skill § 1: Problem Solving

In order to develop and evaluate strategies for solving a problem or accomplishing an objective, a lawyer should be familiar with the skills and concepts involved in:

- 1.1 Identifying and Diagnosing the Problem;
- 1.2 Generating Alternative Solutions and Strategies;
- 1.3 Developing a Plan of Action;
- 1.4 Implementing the Plan;
- 1.5 Keeping the Planning Process Open to New Information and New Ideas.

Skill § 2: Legal Analysis and Reasoning

In order to analyze and apply legal rules and principles, a lawyer should be familiar with the skills and concepts involved in:

- 2.1 Identifying and Formulating Legal Issues;
- 2.2 Formulating Relevant Legal Theories;
- 2.3 Elaborating Legal Theory;
- 2.4 Evaluating Legal Theory;
- 2.5 Criticizing and Synthesizing Legal Argumentation.

Skill § 3: Legal Research

In order to identify legal issues and to research them thoroughly and efficiently, a lawyer should have:

- 3.1 Knowledge of the Nature of Legal Rules and Institutions;
- 3.2 Knowledge of and Ability to Use the Most Fundamental Tools of Legal Research;
- 3.3 Understanding of the Process of Devising and Implementing a Coherent and Effective Research Design.

Skill § 4: Factual Investigation

In order to plan, direct, and (where applicable) participate in factual investigation, a lawyer should be familiar with the skills and concepts involved in:

- 4.1 Determining the Need for Factual Investigation;
- 4.2 Planning a Factual Investigation;
- 4.3 Implementing the Investigative Strategy;
- 4.4 Memorializing and Organizing Information in an Accessible Form;
- 4.5 Deciding Whether to Conclude the Process of Fact-Gathering;
- 4.6 Evaluating the Information That Has Been Gathered.

Skill § 5: Communication

In order to communicate effectively, whether orally or in writing, a lawyer should be familiar with the skills and concepts involved in:

- 5.1 Assessing the Perspective of the Recipient of the Communication;
- 5.2 Using Effective Methods of Communication.

Based upon Bryant G. Garth and Joanne Martin survey, we ex-

Skill § 6: Counseling

In order to counsel clients about decisions or courses of action, a lawyer should be familiar with the skills and concepts involved in:

- 6.1 Establishing a Counseling Relationship That Respects the Nature and Bounds of a Lawyer's Role;
- 6.2 Gathering Information Relevant to the Decision to Be Made;
- 6.3 Analyzing the Decision to Be Made;
- 6.4 Counseling the Client About the Decision to Be Made;
- 6.5 Ascertaining and Implementing the Client's Decision.

Skill § 7: Negotiation

In order to negotiate in either a dispute-resolution or transactional context, a lawyer should be familiar with the skills and concepts involved in:

- 7.1 Preparing for Negotiation;
- 7.2 Conducting a Negotiation Session;
- 7.3 Counseling the Client About the Terms Obtained From the Other Side in the Negotiation and Implementing the Client's Decision.

Skill § 8: Litigation and Alternative Dispute-Resolution Procedures

In order to employ—or advise a client about—the options of litigation and alternative dispute resolution, a lawyer should understand the potential functions and consequences of these processes and should have a working knowledge of the fundamentals of:

- 8.1 Litigation at the Trial-Court Level;
- 8.2 Litigation at the Appellate Level;
- 8.3 Advocacy in Administrative and Executive Forums;
- 8.4 Proceedings in Other Dispute-Resolution Forums.

Skill § 9: Organization and Management of Legal Work

In order to practice effectively, a lawyer should be familiar with the skills and concepts required for efficient management, including:

- 9.1 Formulating Goals and Principles for Effective Practice Management;
- 9.2 Developing Systems and Procedures to Ensure that Time, Effort, and Resources Are Allocated Efficiently;
- 9.3 Developing Systems and Procedures to Ensure that Work is Performed and Completed at the Appropriate Time;
- 9.4 Developing Systems and Procedures for Effectively Working with Other People;
- 9.5 Developing Systems and Procedures for Efficiently Administering a Law Office.

Skill § 10: Recognizing and Resolving Ethical Dilemmas

In order to represent a client consistently with applicable ethical standards, a lawyer should be familiar with:

- 10.1 The Nature and Sources of Ethical Standards;
- 10.2 The Means by Which Ethical Standards are Enforced;
- 10.3 The Processes for Recognizing and Resolving Ethical Dilemmas.

Id.

panded the number of lawyering skills set out in the MacCrate Report and surveyed the following seventeen areas:

- Ability to diagnose and plan solutions for legal problems,
- Ability in legal analysis and reasoning,
- Knowledge of substantive law,
- Knowledge of procedural law,
- Library legal research,
- Computer legal research,
- Factual gathering,
- Oral communication,
- Written communication,
- Counseling,
- Instilling others' confidence in you,
- Ability to obtain and keep clients,
- Negotiation,
- Litigation,
- Organization and management of legal work,
- Sensitivity to professional and ethical concerns, and
- Drafting legal documents.²²

1. *Perceptions Regarding Legal Practice Skills*

a. *Importance*

Minnesota attorneys were asked to rate the importance of the legal practice skills on a scale of 1 (not at all important) to 7 (very important).²³ A skill was considered "important" if it received a score of 5, 6 or 7. Well over a majority of respondents in both the 1997-98 and 1999 surveys indicated they perceived each of the seventeen legal practice skills as important to their practice of law. The legal practice skill perceived as most important to the 1999 respondents was the "ability to diagnose and plan solutions to legal problems" (97.9%). The legal practice skill perceived as least important by the 1999 respondents was the "ability to understand and conduct litigation" (67%).

22. See Garth & Martin, *supra* note 6, at 472-73. Garth and Martin surveyed practicing lawyers in Chicago, Illinois. See *id.* at 471. The sample of the survey consisted of all firms in Chicago that had a minimum of five partners. See *id.*

23. See *infra* Appendix C.

b. Preparedness

Minnesota attorneys were asked to rate on a scale of 1 to 7 how well they thought law school prepared them in that skill. As Table 1 shows, 1999 survey respondents felt most prepared immediately after law school for “legal analysis and legal reasoning” (85%). Respondents perceived themselves to be least prepared immediately after law school for the “ability to obtain and keep clients” (13.2%). In nine of the seventeen legal practice skills, less than fifty percent of 1999 survey respondents felt that they were well prepared immediately after law school. In nine of the legal practice skills, more graduates of William Mitchell College of Law perceive themselves to be well prepared than graduates of other law schools.²⁴ In eight of the legal practice skills, fewer William Mitchell graduates perceive themselves to be well prepared upon graduation from law school than graduates of other law schools.²⁵

c. Whether Skills Can Be Learned in Law School

Minnesota lawyers were also asked whether they believed the identified legal skills could be learned in law school.²⁶ Respondents answered “yes” or “no.”

Respondents believed that a majority of the legal practice skills could be learned in law school. Seventy percent or more of the respondents believed that fourteen of the seventeen legal practice skills could be learned in law school. The three skills that less than 70% of respondents believed could be learned in law school were:

- Instilling others’ confidence in you,
- Organization and management of legal work, and
- Ability to obtain and keep clients.

24. We compared respondents who received their legal education at William Mitchell College of Law (WMCL) in St. Paul, Minnesota to those who received their education at law schools other than William Mitchell (Non-WMCL). Of the 726 Minnesota attorneys in the 1999 survey, 288 respondents (39.7%) attended William Mitchell, 165 respondents (22.7%) attended the University of Minnesota Law School, 96 respondents attended Hamline University College of Law (13.2%), while 177 respondents (24.4%) attended other law schools. Of the 1042 respondents who completed the 1997-98 survey, 354 (41.4%) graduated from William Mitchell, 264 (30.9%) graduated from the University of Minnesota, and 50 (5.9%) graduated from Hamline University and the remainder attended law schools throughout the country. See Frequency Statistics (on file with author).

25. See *infra* Table 2.

26. See *infra* Table 1.

Table 1. Legal Skills: Importance, Preparedness and Ability to Learn in Law School

<u>Legal Practice Skills</u>	Percent Perceiving ...		
	Importance	Preparedness	Skill can be learned in law school
Ability to diagnose and plan solutions for legal problems	97.9	54.9	90.5
Ability in legal analysis and legal reasoning	97.5	85.0	97.7
Written communication	97.2	81.1	95.0
Oral communication	96.8	69.3	85.6
Instilling others' confidence in you	92.0	37.7	35.0
Negotiation	90.0	29.9	85.2
Sensitivity to professional and ethical concerns	86.4	68.2	95.9
Fact gathering	85.9	37.5	78.7
Drafting legal documents	85.8	33.2	94.1
Organization and management of legal work	85.0	20.5	58.7
Counseling	82.6	28.6	70.0
Ability to obtain and keep clients	80.2	13.2	32.7
Knowledge of procedural law	79.6	49.0	97.5
Knowledge of the substantive law	79.1	61.9	95.3
Computer legal research	76.6	76.0	99.7
Library legal research	69.1	83.7	100
Understanding and conducting litigation	69.0	25.7	81.3

Table 2. Legal Skills: Comparison of Perceptions of Preparedness Between William Mitchell and Non-William Mitchell Students

<u>Legal Skill</u>	WMCL	Non-WMCL
Ability to diagnose and plan solutions for legal problems	58.4	52.6
Ability in legal analysis and legal reasoning	82.5	86.6
Drafting legal documents	36.7	31.0
Knowledge of the substantive law	64.9	60.0
Library legal research	81.2	85.3
Computer legal research	69.7	80.2
Fact gathering	41.8	34.6
Oral communication	66.7	71.1
Written communication	76.4	84.2
Counseling	31.7	26.6
Instilling others' confidence in you	36.4	38.7
Negotiation	33.8	27.4
Knowledge of procedural law	49.3	48.9
Understanding and conducting litigation	29.2	23.4
Organization and management of legal work	21.6	19.8
Ability to obtain and keep clients	11.5	14.4
Sensitivity to professional and ethical concerns	62.7	71.8

Figure 1 below arranges the skills' results in a matrix with "importance" on the horizontal and "preparedness" on the vertical axes. Skills are grouped together in the matrix in categories of "most important"/ "least important" and "well-prepared"/ "not well-prepared." Skills of most importance are those where 80% or more respondents identified the skill as important. All but four of the skills fall within this category. "Knowledge of procedural law" was rounded up to 80%. Skills of least importance are those where less than 80% of the respondents identified the skill as important. No skill received less than 69%. Skills for which respondents felt well prepared are those for which 50% or more attorneys perceived themselves to be well prepared. Skills for which respondents felt not well prepared are those for which less than 50% of the respon-

dents perceived themselves to be well prepared. The skills are grouped in categories and are not arranged in a continuum from most to least important or well to not well prepared.

The matrix shows a focus area; that is, a perceived set of important legal skills for which attorneys felt they were not well prepared. This set is composed of the following skills:

- Ability to diagnose and plan solutions for legal problems
- Instilling others' confidence in you
- Negotiation
- Fact gathering
- Drafting legal documents
- Counseling
- Ability to obtain and keep clients
- Knowledge of procedural law
- Organization and management of legal work

Law schools that are interested in preparing students better in legal practice skills might focus their efforts on those skills.

FIGURE 1: FOCUS AREA FOR LEGAL SKILLS TRAINING

		IMPORTANCE	
		Most Important	Least Important
PREPAREDNESS	Well-Prepared	<ul style="list-style-type: none"> • Ability in legal analysis and legal reasoning • Written communication • Sensitivity to professional and ethical concerns • Oral communication 	<ul style="list-style-type: none"> • Library legal research • Knowledge of substantive law
	Not Well-Prepared	<u>FOCUS AREA</u> <ul style="list-style-type: none"> • Ability to diagnose and plan solutions for legal problems • Instilling others' confidence in you • Negotiation • Fact gathering • Drafting legal documents • Counseling • Ability to obtain and keep clients • Knowledge of procedural law • Organization and management of legal work 	<ul style="list-style-type: none"> • Understanding and conducting litigation • Computer legal research

All of the lawyering skill areas defined by MacCrane were perceived by attorneys as important to their practice of the law and a significant number of attorneys believe these subjects could be taught successfully in law school. These results suggest that law schools may want to change their curriculum and teaching methods to provide more training and learning opportunities in these areas. These results should be examined to determine if law schools are meeting the goals of their missions. If law school

graduates' perceptions of preparedness do not meet the mission of the law school, these results may allow the law school to conduct a focused reexamination of its curriculum, teaching methods and financial priorities.²⁷

2. *Change Over Time: Comparison to Zemans and Rosenblum (1975-76) and Garth and Martin (1991-92) Studies*

Frances Kahn Zemans and Victor G. Rosenblum conducted a 1975-76 study on the legal profession²⁸ that was published in 1981 for the American Bar Foundation.²⁹ Zemans and Rosenblum sought a better understanding of how law school education affected the professional development of lawyers.³⁰ The survey asked the attorneys about "Knowledge and Skills Important to the Practice of Law," including the relative importance of selected skills and areas of knowledge,³¹ the law school's contribution to skills and ar-

27. This study implicates three elements of William Mitchell's mission in particular.

William Mitchell College of Law is committed to its tradition of making a high-quality legal education accessible to a diverse and talented student body. The College provides resources for realizing the individual potential of persons with a wide variety of life experiences and persons who choose to work or pursue other responsibilities while attending law school. *The College challenges students to think critically, to acquire the skills of the profession, to integrate personal values with ethical and professional standards, emphasizing respect for all people.* The College is dedicated to improving the quality of justice through service to the legal profession.

....

The College offers a multi-purpose academic program, which emphasizes ethics and skills training across the curriculum and which focuses on subjects that are important to the practice of law. The curriculum is designed to support the career goals of those who wish to enter the traditional practice of law, as well as of those who wish to use a legal education to advance a non-legal career.

....

Connecting Theory and Practice: the College values and supports education, research, and public service, which connect theory and practice and is committed to the use of adjunct faculty as an effective method of connecting theory and practice.

William Mitchell College of Law Mission Statement and Focus Statement (emphasis added).

28. See FRANCES KAHN ZEMANS & VICTOR G. ROSENBLUM, *THE MAKING OF A PUBLIC PROFESSION* (1981).

29. See *id.* at 18.

30. See *id.* at xiii.

31. See *id.* at 123-28. The earlier 1975-76 Zemans and Rosenblum study sur-

eas of knowledge important to the practice of law showing how prepared the lawyers were after law school,³² and whether the skills and areas of knowledge could be taught effectively in law school.³³ The importance score was the mean response on a 5-point scale with 1 being the most important and 5 of the lowest importance.³⁴

Fifteen years later, from 1991 to 1992, Bryant G. Garth and Joanne Martin conducted a series of four surveys of Chicago lawyers.³⁵ Garth and Martin sought, first of all, to compare their survey to the earlier Zemans and Rosenblum survey and measure any of the changes that had occurred since the late 1970s.³⁶ Thus, their survey repeated portions of the Zemans and Rosenblum study in order to survey many of the same skills.³⁷ The survey of "young Chicago lawyers"³⁸ (who were admitted to the bar between 1986 to 1991)³⁹ by Garth and Martin asked the lawyers to rank the "importance" of seventeen legal skills and areas of knowledge.⁴⁰ We used the same seventeen legal skills in the survey of Minnesota lawyers. The Garth and Martin survey, like the Zemans and Rosenblum survey, was based on a 5-point scale with 1 being "extremely important" and 5 being "not important at all."⁴¹ Second, Garth and Martin sought to update the list of the surveyed legal skills by including parts of the MacCrate Report list.⁴² Third, Garth and Martin

veyed several aspects of "importance" of lawyering skills that were similar to both the survey of Minnesota lawyers and the 1991-92 Garth and Martin survey including the following areas: Ability to understand and interpret opinions, regulations, and statutes; Drafting legal documents; Knowledge of substantive law; Legal research; Fact gathering; Effective oral expression; Letter writing; Instilling others' confidence in you; Negotiating; and Knowledge of procedural law. *See id.*

32. *See id.* at 135-50.

33. *See id.* at 140-50.

34. *See id.* at 126 tbl.6.1.

35. *See* Garth & Martin, *supra* note 6. The Garth and Martin study consisted of 4 surveys and sample groups. *See id.* at 471. The first survey, which was conducted by telephone, targeted hiring partners in all firms in Chicago that had a minimum of five partners. *See id.* The second survey was of practicing lawyers in Chicago who had been admitted to the bar between 1986 and 1991, the "young Chicago lawyers." *See id.* A random sample of 1500 attorneys was mailed surveys and over 50% responded. *See id.* The final two surveys were sent to two urban context samples in Missouri. *See id.* These two surveys were similar to the survey conducted of the "young Chicago lawyers." *See id.* at 471-72.

36. *See id.* at 471.

37. *See id.*

38. *See id.* at 473 tbl.1.

39. *See id.* at 471.

40. *See id.* at 473 tbl.1.

41. *See id.* at 472.

42. *See id.* at 471.

probed the lawyers' ability to obtain and keep clients.⁴³

For the purposes of this comparison, the "percentage important" includes the responses of "extremely important" and "important," i.e., the responses of 1 and 2 on a 5-point scale of importance for the Zemans and Rosenblum study⁴⁴ and Garth and Martin survey.⁴⁵ The "percentage important" in the survey of Minnesota lawyers consisted of the rankings of 5 through 7, the rankings of "important" to "very important."

A comparison of the 1975-76 Zemans and Rosenblum survey to the survey of Minnesota lawyers with zero to ten years of practice experience shows a higher "importance" score among the Minnesota lawyers in the following skills:

- Ability in legal analysis and legal reasoning,
- Drafting legal documents,
- Oral communications,
- Written Communications,
- Negotiating, and
- Knowledge of procedural law.⁴⁶

However, these same Minnesota lawyers found less importance in the areas of "Knowledge of substantive law" and "Legal research" than lawyers in Zemans and Rosenblum's survey.

When comparing the Garth and Martin survey to the Minnesota lawyer survey, there are distinct differences in the ranking of "importance" of legal practice skills and areas of knowledge. Minnesota lawyers with zero to ten years of practice hold the following skills higher in "importance" than the Garth and Martin lawyers in ten of the seventeen skills:

- Ability to diagnose and plan for legal problems,
- Computer legal research,
- Fact gathering,
- Counseling,
- Negotiation,
- Knowledge of procedural law,
- Understanding and conducting litigation,

43. *See id.*

44. *See ZEMANS & ROSENBLUM, supra* note 28, at 123-28.

45. *See Garth & Martin, supra* note 6, at 472.

46. *See infra* Table 3.

- Organization and management of legal work,
- Ability to obtain and keep clients, and
- Sensitivity to professional and ethical concerns.

The other seven skills showed relatively equal “importance” between the two groups.

A comparison of all the surveys demonstrates the changes in “importance” in legal skills and areas of knowledge over the past three decades. There appears to be a growing perception of “importance” in the following legal practice skills:

- Ability to diagnose and plan for legal problems,
- Ability in legal analysis and legal reasoning,
- Drafting legal documents,
- Computer legal research,
- Oral communications,
- Instilling confidence in you,
- Knowledge of procedural law,
- Understanding and conducting litigation,
- Organization of management of legal work, and
- Sensitivity to professional and ethical concerns.

However, a comparison of the surveys also shows a decline in the perception of “importance” in the areas of “Knowledge of substantive law” and “Library legal research.”

Table 3. Legal Skills: Changes in Perceptions of Importance Over Time

<u>Legal Practice Skill</u>	Zemans-Rosenblum 1975-76⁴⁷	Garth-Martin 1986-91⁴⁸	Minnesota Lawyers 1999
Ability to diagnose and plan for legal problems	*	81.5	97.9
Ability in legal analysis and legal reasoning	86.6	90.9	97.5
Written communication	*	96.3	97.2
Oral communication	87.4	97.6	96.8
Instilling others' confidence in you	88.6	90.5	92.0
Negotiation	78.9	73.4	90.0
Sensitivity to professional and ethical concerns	*	68.9	86.4
Fact gathering	93.0	71.6	85.9
Drafting legal documents	74.2	84.9	85.8
Organization and management of legal work	*	75.4	85.0
Counseling	*	62.0	82.6
Ability to obtain and keep clients	*	54.0	80.2
Knowledge of procedural law	62.9	67.8	79.6
Knowledge of the substantive law	90.1	83.0	79.1
Computer legal research	*	34.9	76.6
Library legal research	80.6	59.8	69.1
Understanding and conducting litigation	*	62.2	69.0

**Represents a legal skill that was not specifically surveyed by the 1975-76 Zemans-Rosenblum study.*

47. See ZEMANS & ROSENBLUM, *supra* note 28, at 125 tbl.6.1

48. See Garth & Martin, *supra* note 6, at 473 tbl.1

The 1975-76 Zemans and Rosenblum study asked respondents whether they learned specific lawyering skills and area of knowledge.⁴⁹ The responses were tallied in a "Yes" or "No" format.⁵⁰ The 1991-92 survey of "young Chicago lawyers" by Garth and Martin also asked their respondent lawyers the same question, whether the seventeen skills or areas of knowledge were "learned essentially through law school,"⁵¹ in the same format. The Minnesota survey asked essentially the same question, asking "how prepared" the lawyer was immediately after law school.

For the purposes of this analysis, the percentage of "Yes's" from the Zemans and Rosenblum and the Garth and Martin surveys were compared to the rankings of 5 through 7 in the study of Minnesota lawyers ("prepared" to "very well prepared").

When compared to Zemans and Rosenblum's attorneys, the 1999 survey of Minnesota lawyers with zero to ten years practice experience shows a greater feeling of preparedness in the following skills:

- Drafting legal documents,
- Fact gathering,
- Oral communication,
- Written communication,
- Instilling others' confidence in you, and
- Negotiating.⁵²

However, this comparison shows that fewer Minnesota lawyers in practice ten years or less felt well prepared in the areas of "Knowledge of substantive law" than did lawyers in Zemans and Rosenblum's survey.

When comparing the Garth and Martin survey to the Minnesota survey, there are distinct differences in the ranking of how well prepared the lawyers felt in the seventeen surveyed legal practice skills and areas of knowledge. Minnesota lawyers with zero to ten years of practice felt better prepared immediately after law school than the lawyers in Garth and Martin's survey in eleven of the seventeen skills:

49. See ZEMANS & ROSENBLUM, *supra* note 28, at 135-50.

50. See *id.* at 222 app. 1.

51. See Garth & Martin, *supra* note 6, at 479 tbl.4.

52. See *infra* Table 4.

- Ability to diagnose and plan for legal problems,
- Drafting legal documents,
- Fact gathering,
- Oral communication,
- Written communication,
- Counseling,
- Instilling others' confidence in you,
- Negotiation,
- Understanding and conducting litigation,
- Organization and management of legal work, and
- Ability to obtain and keep clients.

A comparison of all the surveys demonstrates the changes in how prepared lawyers felt in the seventeen legal practice skills immediately after law school over the past three decades.⁵³ It appears that more Minnesota lawyers generally feel prepared immediately after law school in the following legal practice skills:

- Ability to diagnose and plan for legal problems,
- Ability in legal analysis and legal reasoning,
- Drafting legal documents,
- Library legal research,
- Computer legal research,
- Fact gathering,
- Oral communication,
- Written communication,
- Counseling,
- Instilling others' confidence in you,
- Negotiation,
- Understanding and conducting litigation,
- Organization and management of legal work, and
- Ability to obtain and keep clients.

53. See *infra* Table 5.

Table 4. Legal Skills: Changes in Perceptions of Preparedness Over Time

<u>Legal Practice Skill</u>	Zemans-Rosenblum 1975-76	Garth-Martin 1986-91	Minnesota Lawyers 1999
Ability to diagnose and plan for legal problems	*	33.0	54.9
Ability in legal analysis and legal reasoning	77.0	71.0	85.0
Drafting legal documents	11.0	18.0	33.2
Knowledge of the substantive law	79.0	81.0	61.9
Library legal research	75.0	83.0	83.7
Computer legal research	*	66.0	76.0
Fact gathering	16.0	10.0	37.5
Oral communication	15.0	6.0	69.3
Written communication	*	27.0	81.1
Counseling	*	1.0	28.6
Instilling others' confidence in you	4.0	4.0	37.7
Negotiation	2.0	9.0	29.9
Knowledge of procedural law	50.0	53.0	49.0
Understanding and conducting litigation	*	11.0	25.7
Organization and management of legal work	*	4.0	20.5
Ability to obtain and keep clients	*	2.0	13.2
Sensitivity to professional and ethical concerns	*	74.0	68.2

**Represents a legal skill that was not specifically surveyed by the 1975-76 Zemans-Rosenblum study.*

3. Isolating a Particular Course: The Legal Practicum

The Legal Practicum simulates many activities of a small, gen-

eral law practice. It permits the law student to apply theory to legal problem solving, review theory and substance, refresh or improve writing skills, work cooperatively with others in a focused and directed way, improve oral presentation skills, and develop an improve other lawyering skills within a model of a small firm practice. Through a controlled simulation, the course provides clear objectives, reinforcement and feedback, positive learning environments and activities, accommodation of various learning styles, and a consistent lesson cycle.⁵⁴

Results from the 1997-98 survey of Minnesota attorneys who took the legal practicum at William Mitchell allow us to analyze whether a particular course within the law school curriculum can have an effect on a student's ability to prepare for the practice of law. Surveys were sent to 380 students who had participated in the Legal Practicum course at William Mitchell College of Law. Of the 380 surveys sent to participants of the legal Practicum, 154 were returned. We were then able to compare these results with those of the 1999 survey.

There were few differences in the perceived importance of the MacCrate legal practice skills. Those who had participated in the Legal Practicum held the listed legal skills to similar degrees of importance as the respondents to the 1999 survey. Legal Practicum Participants were also surveyed as to how well prepared they perceived themselves to be in the legal practice skills upon graduation from law school.

Those respondents who had participated in the Legal Practicum course at William Mitchell perceived themselves to be better prepared than other William Mitchell graduates in ten of the legal skill areas and less prepared in seven areas. Some of the differences were small but significant differences of approximately 10% were indicated in eight (six positive, two negative) of the legal skill areas.

54. See John Sonsteng, *Learning by Doing: Preparing Law Students for the Practice of Law: The Legal Practicum*, 21 WM. MITCHELL L. REV. 111, 116-17 (1995).

Table 5. Legal Skills: A Comparison of Perceptions of Preparedness Among William Mitchell, Non-William Mitchell and Legal Practicum Graduates

<u>Legal Skill</u>	WMCL	Non-WMCL	Legal Practicum
Ability to diagnose and plan solutions for legal problems	58.4	52.6	54.7
Ability in legal analysis and legal reasoning	82.5	86.6	80.6
Drafting legal documents	36.7	31.0	52.7
Knowledge of the substantive law	64.9	60.0	60.5
Library legal research	81.2	85.3	75.2
Computer legal research	69.7	80.2	68.3
Fact gathering	41.8	34.6	48.4
Oral communication	66.7	71.1	69.2
Written communication	76.4	84.2	78.9
Counseling	31.7	26.6	39.2
Instilling others' confidence in you	36.4	38.7	45.8
Negotiation	33.8	27.4	51.7
Knowledge of procedural law	49.3	48.9	46.7
Understanding and conducting litigation	29.2	23.4	39.0
Organization and management of legal work	21.6	19.8	35.7
Ability to obtain and keep clients	11.5	14.4	16.2
Sensitivity to professional and ethical concerns	62.7	71.8	71.4

a. The Effect of the Legal Practicum on Identified Sources of Legal Practice Skills Training

We asked the attorneys we surveyed to list up to three of the listed fifteen sources from which they felt they had acquired the various skills.⁵⁵ We wondered to what extent law schools provided training in the seventeen legal practice skill areas, and to what extent lawyers got their training from other sources. We compared William Mitchell College of Law to other law schools and isolated particularly graduates who had taken the Legal Practicum course.⁵⁶ The fifteen sources were:

- General law school curriculum,
- Moot court/other competitions,
- Law related work experience in summers or during academic year,
- Your own experience,
- Continuing legal education courses,
- Training by another school,
- Legal practice simulations in law school
- Law review experience,
- Client contacts through law school clinics,
- Observation of other lawyers,
- Advice from other lawyers,
- Observation of nonlawyers,
- Advice from nonlawyers,
- Training by product or service vendors, and
- Other.

The law school provided five legal skill sources and ten sources were provided outside of the law school. The five sources law schools provided are:

- General law school curriculum,
- Legal practice simulation,
- Moot court/other competitions,
- Law review experience, and
- Client contacts through law school clinics.

55. See *infra* Appendix C.

56. See *infra* Table 6.

In all seventeen of the legal skill areas, the general curriculum of William Mitchell College of Law was perceived by William Mitchell graduates as providing more training than the general curriculum of all other schools. Legal practice simulations were also perceived by William Mitchell graduates as providing more training in sixteen of the seventeen legal skill areas. The number of people who listed school clinics, moot court/other competitions, and law review as a significant source of their training was seldom more than 15% and was frequently below 5%. William Mitchell graduates did not rank these sources as highly as did graduates of other law schools.

Four non-law school sources of legal practice skills were reported by respondents as significant sources of training: (1) the attorney's own experience; (2) law-related work experience while in law school; (3) advice from other attorneys; and (4) observing other lawyers. When we isolated those William Mitchell College of Law graduates who had taken the Legal Practicum we found that the number of respondents who listed the general law school curriculum as a source of training was lower in eight legal skill areas and higher in nine. However, those who participated in the Legal Practicum listed legal practice simulations as a source of training by a substantially higher percentage than all other respondents in all legal practice skill areas. The difference in the number of Practicum respondents who listed legal practice simulation as a significant source of their legal training is striking: from as high as 77% to as low as 10%, with most in the range of 30%.

Table 6. Legal Skills: Identified Source of Legal Skill Across William Mitchell, Non-William Mitchell and Legal Practicum Graduates

A. Ability to Diagnose and Plan for Legal Problems

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	53.7	48.6	42.4
Legal practice simulations	26.9	13.4	58.5
Law school clinics	5.3	11.7	7.6
Law review	1.1	0.9	1.8
Moot court/ competitions	9.5	10.1	7.6
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	51.2	53.1	50.0
Law related work experience	52.3	54.7	46.1
Advice from other lawyers	33.9	34.7	24.3
Observe other lawyers	30.4	39.2	22.9
CLE courses	13.1	7.5	13.2
Advice from non-lawyers	1.8	1.4	--
Observe non-lawyers	1.4	1.9	1.0
Training at other school	1.8	0.5	0.4
Training by vendors	--	--	--
Other	2.5	1.4	3.2

B. Ability in Legal Analysis and Legal Reasoning

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	87.0	89.4	78.2
Legal practice simulations	17.9	11.0	55.4
Law school clinics	2.1	5.4	3.4
Law review	5.6	13.1	3.4
Moot court/ competitions	13.0	22.1	12.3
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	42.1	34.5	41.7
Law related work experience	52.3	55.6	43.5
Advice from other lawyers	23.9	17.1	18.9
Observe other lawyers	20.7	18.3	13.8
CLE courses	8.8	5.2	8.2
Advice from non-lawyers	--	0.5	--
Observe non-lawyers	0.4	0.2	--
Training at other school	1.4	3.1	1.5
Training by vendors	--	--	--
Other	2.1	1.2	3.8

C. Drafting Legal Documents

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	45.6	33.2	35.3
Legal practice simulations	26.3	10.6	73.7
Law school clinics	2.8	8.0	7.8
Law review	2.1	5.9	2.3
Moot court/ competitions	5.6	13.4	4.2
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	43.2	38.8	36.3
Law related work experience	56.5	63.1	51.5
Advice from other lawyers	34.0	38.6	26.8
Observe other lawyers	28.4	31.3	20.5
CLE courses	17.9	13.2	12.7
Advice from non-lawyers	1.4	1.2	0.4
Observe non-lawyers	0.7	0.5	1.0
Training at other school	0.4	0.5	--
Training by vendors	0.4	0.2	1.0
Other	4.2	3.1	6.2

D. Knowledge of the Substantive Law

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	92.3	91.3	86.2
Legal practice simulations	7.4	3.1	28.4
Law school clinics	1.8	4.0	1.3
Law review	2.8	6.4	0.9
Moot court/competitions	6.7	7.8	4.2
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	38.9	31.2	34.8
Law related work experience	51.6	51.3	50.0
Advice from other lawyers	22.1	21.7	19.3
Observe other lawyers	10.5	7.3	6.8
CLE courses	38.9	37.6	32.5
Advice from non-lawyers	--	0.5	--
Observe non-lawyers	0.4	0.5	--
Training at other school	0.4	1.2	0.4
Training by vendors	1.1	0.2	2.1
Other	3.9	2.6	3.7

E. Library Legal Research

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	96.1	91.3	96.1
Legal practice simulations	10.9	6.1	37.3
Law school clinics	0.4	1.9	1.4
Law review	10.9	22.1	7.7
Moot court/ competitions	11.6	19.1	7.8
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	37.2	31.5	37.6
Law related work experience	51.2	52.9	39.5
Advice from other lawyers	8.8	6.4	6.2
Observe other lawyers	3.5	1.6	2.6
CLE courses	3.2	0.9	1.7
Advice from non-lawyers	1.8	3.3	1.3
Observe non-lawyers	0.7	0.7	--
Training at other school	1.4	1.2	0.4
Training by vendors	4.9	6.1	1.5
Other	2.5	2.1	3.6

F. Computer Legal Research

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	88.4	80.4	85.6
Legal practice simulations	8.1	5.0	30.5
Law school clinics	0.4	1.2	0.4
Law review	10.9	19.6	4.1
Moot court/ competitions	7.4	14.2	7.4
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	44.6	36.1	41.2
Law related work experience	41.1	46.0	27.8
Advice from other lawyers	7.0	4.7	6.1
Observe other lawyers	3.5	1.9	1.3
CLE courses	7.7	4.2	3.0
Advice from non-lawyers	3.2	2.8	1.7
Observe non-lawyers	0.7	0.9	0.9
Training at other school	0.7	0.9	--
Training by vendors	23.5	30.0	21.0
Other	2.5	1.9	6.4

G. Fact Gathering

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	35.9	15.9	25.9
Legal practice simulations	17.0	8.7	50.8
Law school clinics	4.7	12.9	8.0
Law review	1.4	2.5	1.4
Moot court/ competitions	5.8	4.7	5.5
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	61.2	64.8	67.4
Law related work experience	45.7	43.4	32.5
Advice from other lawyers	27.5	34.0	15.4
Observe other lawyers	32.6	36.7	24.0
CLE courses	5.8	3.0	3.2
Advice from non-lawyers	2.2	3.5	2.7
Observe non-lawyers	2.5	4.0	3.1
Training at other school	0.7	2.5	1.3
Training by vendors	--	--	--
Other	2.5	1.7	3.2

H. Oral Communication

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	40.4	33.3	31.8
Legal practice simulations	21.3	13.2	58.8
Law school clinics	3.2	6.6	5.6
Law review	0.4	2.0	0.9
Moot court/ competitions	18.4	32.8	15.0
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	71.5	67.9	66.5
Law related work experience	32.5	28.2	23.2
Advice from other lawyers	13.7	15.9	4.2
Observe other lawyers	35.0	30.4	25.7
CLE courses	3.2	1.5	1.8
Advice from non-lawyers	1.4	6.1	0.8
Observe non-lawyers	4.7	2.0	5.0
Training at other school	7.2	10.0	7.0
Training by vendors	--	0.2	--
Other	1.8	1.5	3.6

I. Written Communication

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	72.3	59.2	65.0
Legal practice simulations	13.7	5.9	57.1
Law school clinics	2.2	4.4	3.4
Law review	10.1	19.1	4.5
Moot court/ competitions	10.8	23.5	8.6
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	56.8	57.0	53.7
Law related work experience	42.8	43.0	35.0
Advice from other lawyers	19.4	18.6	13.8
Observe other lawyers	22.7	18.1	10.6
CLE courses	4.7	2.4	3.3
Advice from non-lawyers	1.1	2.0	3.2
Observe non-lawyers	1.1	1.5	1.4
Training at other school	9.0	13.2	5.7
Training by vendors	--	0.2	--
Other	2.5	1.5	2.8

J. Counseling

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	23.4	10.9	13.2
Legal practice simulations	18.2	8.1	54.3
Law school clinics	6.2	13.7	11.4
Law review	0.7	0.8	--
Moot court/ competitions	5.5	2.3	10.1
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	61.7	64.5	67.8
Law related work experience	30.3	26.6	18.5
Advice from other lawyers	26.6	36.5	28.5
Observe other lawyers	44.9	48.2	15.7
CLE courses	4.4	2.8	3.1
Advice from non-lawyers	3.3	3.3	3.0
Observe non-lawyers	6.2	6.3	3.9
Training at other school	1.5	3.6	3.7
Training by vendors	0.4	--	--
Other	1.8	1.8	3.4

K. Instilling Others' Confidence in You

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	10.8	4.8	6.6
Legal practice simulations	6.3	2.3	24.6
Law school clinics	4.1	8.1	7.4
Law review	1.1	2.8	0.9
Moot court/ competitions	3.0	2.3	5.4
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	80.3	80.4	85.0
Law related work experience	27.9	22.6	17.4
Advice from other lawyers	25.7	29.0	23.3
Observe other lawyers	40.9	39.2	23.5
CLE courses	3.3	1.3	1.8
Advice from non-lawyers	5.2	5.1	8.6
Observe non-lawyers	5.9	7.1	4.7
Training at other school	2.2	3.3	2.9
Training by vendors	0.4	--	--
Other	2.6	1.3	4.2

L. Negotiation

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	33.8	18.7	22.6
Legal practice simulations	19.3	12.1	57.4
Law school clinics	2.2	7.6	4.8
Law review	--	0.8	--
Moot court/ competitions	6.5	2.5	9.3
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	64.0	66.9	61.1
Law related work experience	28.4	20.5	18.3
Advice from other lawyers	22.9	34.1	18.9
Observe other lawyers	42.2	53.0	28.4
CLE courses	12.0	7.1	9.3
Advice from non-lawyers	1.8	2.0	2.5
Observe non-lawyers	6.5	7.6	3.0
Training at other school	3.6	2.8	3.2
Training by vendors	--	0.5	--
Other	2.5	1.8	2.8

M. Knowledge of Procedural Law

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	84.8	80.1	75.7
Legal practice simulations	11.6	5.6	52.9
Law school clinics	2.2	5.4	2.1
Law review	1.4	1.0	2.4
Moot court/ competitions	5.4	5.6	4.6
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	35.1	38.0	36.9
Law related work experience	44.9	44.9	33.6
Advice from other lawyers	25.7	25.5	25.9
Observe other lawyers	19.2	16.7	8.9
CLE courses	15.9	12.5	11.7
Advice from non-lawyers	1.4	1.0	0.7
Observe non-lawyers	0.4	0.7	--
Training at other school	0.7	0.5	0.4
Training by vendors	0.7	--	1.0
Other	4.0	2.0	3.3

N. Understanding and Conducting Litigation

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	44.4	35.2	26.3
Legal practice simulations	23.5	13.7	74.8
Law school clinics	3.0	6.8	4.3
Law review	--	0.5	0.9
Moot court/ competitions	4.9	7.3	9.5
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	36.9	39.2	37.9
Law related work experience	45.5	42.8	35.4
Advice from other lawyers	34.0	40.5	24.8
Observe other lawyers	43.3	44.1	28.4
CLE courses	11.9	8.1	7.9
Advice from non-lawyers	1.1	0.3	2.2
Observe non-lawyers	0.4	1.0	0.4
Training at other school	0.7	1.0	0.4
Training by vendors	--	0.3	1.1
Other	1.9	1.3	5.4

O. Organization and Management of Legal Work

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	15.1	7.0	14.5
Legal practice simulations	12.2	2.5	55.7
Law school clinics	3.3	7.3	3.5
Law review	0.4	1.0	--
Moot court/ competitions	2.2	1.8	3.0
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	61.6	64.6	56.9
Law related work experience	41.7	34.2	33.7
Advice from other lawyers	37.3	45.0	23.5
Observe other lawyers	40.2	52.0	26.8
CLE courses	4.4	4.8	5.7
Advice from non-lawyers	3.0	3.0	0.5
Observe non-lawyers	1.5	2.8	2.4
Training at other school	1.1	0.8	--
Training by vendors	1.5	0.3	--
Other	4.1	1.3	4.9

P. Ability to Obtain and Keep Clients

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	9.6	2.5	2.6
Legal practice simulations	3.6	2.7	13.0
Law school clinics	2.8	4.9	3.3
Law review	0.4	--	--
Moot court/ competitions	--	--	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	60.4	60.2	73.8
Law related work experience	22.8	17.9	16.8
Advice from other lawyers	47.6	54.1	36.4
Observe other lawyers	52.0	59.3	39.3
CLE courses	3.6	2.7	7.6
Advice from non-lawyers	4.8	4.4	9.8
Observe non-lawyers	4.4	3.8	5.9
Training at other school	1.2	0.5	0.7
Training by vendors	0.8	0.5	--
Other	2.8	0.5	4.2

Q. Sensitivity to Professional Ethical Concerns

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	86.5	82.5	87.4
Legal practice simulations	4.0	4.2	31.0
Law school clinics	1.1	1.0	1.6
Law review	0.4	0.7	--
Moot court/ competitions	1.5	1.2	1.6
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	38.3	39.7	47.4
Law related work experience	28.1	21.2	14.0
Advice from other lawyers	29.9	32.0	20.0
Observe other lawyers	23.4	26.6	20.9
CLE courses	27.0	20.9	17.1
Advice from non-lawyers	1.5	0.2	2.1
Observe non-lawyers	2.2	1.0	--
Training at other school	1.1	1.0	0.9
Training by vendors	--	--	--
Other	1.8	1.5	2.2

*b. The Effect of the Legal Practicum on Perception Differences
Between Genders*

i. Preparedness

Both the 1997-98 and the follow-up 1999 survey provided information that allowed us to analyze differences in responses between genders for the data provided in previous sections.

In the 1997-98 survey of Legal Practicum graduates, 92 of the respondents were male, and 61 of the respondents were female. We obtained the results for the comparison among different law schools from the 1999 survey.⁵⁷ Of the 288 respondents that had attended William Mitchell College of Law, 135 were male and 150 were female (3 respondents did not answer the question). Of the 428 respondents that had attended other law schools (Non-WMCL), 222 were male and 206 were female.

Men and women differ in their perceptions of legal skills preparedness upon graduation from law school but there is no clear pattern based on gender.⁵⁸ There was little difference between men and women graduates of William Mitchell College of Law. In eight areas men perceived themselves to be better prepared than women and in eight other areas more women perceived themselves to be better prepared. In only one area, "fact gathering," was the difference greater than 10%. There was a 7% difference in the area of "organization and management of legal work."

Among the non-WMCL population, women perceived themselves to be better prepared in ten of seventeen legal practice skills. There was a significant (greater than 10%) difference in the areas of "knowledge of the substantive law." Four other areas had a difference of more than 7%. They were: "written communication," "instilling others' confidence in you," "understanding and conducting litigation" and "organization and management of legal work."

The results were substantially different for those who participated in the Legal Practicum at William Mitchell College of Law. Women perceived themselves to be better prepared than men who participated in the Legal Practicum in fifteen of the seventeen legal skills areas. In seven of those areas the differences were significant. They were: "ability to diagnose and plan solutions for legal prob-

57. See *infra* Appendix C.

58. See *infra* Table 7.

lems," "ability in legal analysis and reasoning," "proofreading documents," "knowledge of substantive law," "computer legal research," "fact gathering" and "sensitivity to legal and ethical concerns." Women graduates who took the Legal Practicum showed a significantly increased perception of preparedness upon graduation from law school. Women who took the Legal Practicum perceived themselves to be more prepared in fifteen of the seventeen legal skills areas than other female WMCL graduates and in twelve of the seventeen areas compared to non-WMCL female graduates.

The results for male students were mixed. Male students who participated in the Legal Practicum at WMCL perceived themselves to be more prepared in nine legal skills areas and less prepared in eight areas compared with WMCL graduates. Non-WMCL men perceived themselves to be better prepared than Legal Practicum graduates in nine legal skills areas and less in eight. While there were some significant differences among male graduates there was no obvious trend.

Table 7. Preparedness: Gender Differences Among William Mitchell, Non-William Mitchell and Legal Practicum Graduates

<u>Legal Skill</u>	WMCL		Non-WMCL		Practicum	
	M	F	M	F	M	F
Ability to diagnose and plan solutions for legal problems	60.4	56.4	51.8	52.9	48.4	65.0
Ability in legal analysis and legal reasoning	84.3	81.2	87.1	85.9	75.9	87.9
Drafting legal documents	36.1	37.3	31.9	30.0	49.0	58.6
Knowledge of the substantive law	62.2	67.3	52.9	67.1	55.0	69.7
Library legal research	81.3	81.3	84.9	86.0	73.1	78.3
Computer legal research	70.9	69.3	78.7	82.6	64.6	74.5
Fact gathering	33.3	50.3	31.9	37.2	39.4	62.7
Oral communication	68.9	65.3	68.6	73.9	67.8	71.6
Written communication	77.0	76.0	80.1	88.4	76.4	83.1
Counseling	30.6	33.3	27.0	25.6	38.8	40.0
Instilling others' confidence in you	34.8	38.5	41.9	34.8	44.6	47.5
Negotiation	37.0	31.5	27.4	26.7	53.9	48.3
Knowledge of procedural law	47.4	52.0	46.0	51.7	44.1	50.9
Understanding and conducting litigation	31.1	28.0	19.9	27.1	39.0	38.1
Organization and management of legal work	17.9	25.3	15.5	24.3	35.2	36.7
Ability to obtain and keep clients	13.4	10.1	15.2	13.2	15.1	18.1
Sensitivity to professional and ethical concerns	60.4	66.0	72.4	70.7	67.0	78.4

ii. Source of Skill

The same data provided us with information pertaining to where male and female respondents acquired the seventeen legal practice skills.⁵⁹ When we isolated those respondents who participated in the Legal Practicum course, as shown in Table 8, men and women reported significant (10% or greater) differences over all sources of training in thirteen of the legal practice skills.

Law-related work experience while in law school, the attorney's own experience, advice from other attorneys and observations of other lawyers were always named as significant sources of all legal practice skills. Law school curriculum and legal simulation courses in law school were also a significant source of training. Simulations were seen as a more significant source of training for both women and men who have taken the Legal Practicum. Female respondents who participated in the Legal Practicum course ranked legal practice simulations as a significant source of the legal skills at a higher rate than male respondents in fifteen of the seventeen legal practice skill areas. In five of those areas, the difference was greater than 10%. The legal practice simulation work in the Legal Practicum had the effect of reducing reliance on "own experience" for learning legal practice skills. Female graduates who took the Legal Practicum were more likely to point to simulations rather than their own experience.

The Legal Practicum course reduces the perception that the general law school curriculum is a significant source of training for both men and women. The general law school curriculum is still perceived to be a more significant source of training for WMCL graduates when compared with graduates of other law schools. The general law school curriculum and simulations in law school combined, for both men and women, are a more significant source of training than any other source and exceed "my own experience" by a substantial margin.

59. See *infra* Table 8.

Table 8. Legal Skills: Source of Skill Across Gender and William Mitchell, Non-William Mitchell and Legal Practicum Graduates

A. Ability to Diagnose and Plan for Legal Problems

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	53.8	54.1	55.5	40.9	45.6	37.3
Legal practice simulations	25.8	27.7	13.2	13.8	56.1	62.4
Law school clinics	3.8	6.8	7.7	15.8	4.6	12.5
Law review	0.8	1.4	0.9	1.0	3.0	--
Moot court/ competitions	11.4	8.1	9.5	10.3	8.3	6.5
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	57.6	45.9	55.9	50.2	56.0	40.4
Law related work experience	51.5	53.4	53.2	56.7	40.9	54.3
Observe other lawyers	13.6	12.8	5.0	9.9	11.3	16.3
Advice from other lawyers	0.8	2.7	0.5	0.5	0.7	--
CLE courses	30.3	31.1	37.3	41.4	22.4	23.6
Observe non-lawyers	34.8	33.8	32.7	36.9	23.4	25.9
Advice from non-lawyers	1.5	1.4	1.8	2.0	1.7	--
Training at other school	3.0	--	1.4	1.5	--	--
Training by vendors	--	--	--	--	--	--
Other	1.5	3.4	1.8	1.0	3.6	2.7

B. Ability in Legal Analysis and Legal Reasoning

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	85.8	88.5	91.4	87.2	74.9	83.5
Legal practice simulations	20.9	15.5	10.0	12.3	54.2	57.3
Law school clinics	1.5	2.7	3.2	7.9	1.8	5.9
Law review	5.2	6.1	13.6	12.8	2.6	4.7
Moot court/ competitions	11.9	14.2	19.1	25.1	10.2	15.6
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	47.0	37.2	37.7	30.5	45.2	36.2
Law related work experience	47.8	56.8	53.6	58.1	45.1	41.1
Advice from other lawyers	23.9	24.3	18.2	16.3	18.2	20.0
Observe other lawyers	23.1	18.9	23.2	12.8	13.0	15.0
CLE courses	9.0	8.8	4.5	5.4	9.6	5.9
Advice from non-lawyers	--	--	0.9	--	0.7	--
Observe non-lawyers	0.7	--	--	0.5	--	--
Training at other school	0.7	2.0	2.7	3.4	0.7	2.7
Training by vendors	--	--	--	--	--	--
Other	1.5	2.7	0.9	1.5	1.7	7.1
Other	1.5	3.4	1.8	1.0	3.6	2.7

C. Drafting Legal Documents

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	45.5	45.3	34.7	31.0	36.3	33.7
Legal practice simulations	27.6	25.7	11.9	9.4	70.3	79.2
Law school clinics	0.7	4.7	5.0	11.3	5.2	12.0
Law review	2.2	2.0	7.8	3.9	2.6	1.8
Moot court/ competitions	6.0	5.4	12.8	13.8	6.1	1.2
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	50.7	36.5	40.6	36.5	38.4	32.9
Law related work experience	53.7	58.8	60.7	66.0	46.6	59.3
Advice from other lawyers	26.9	39.9	39.7	37.4	24.4	30.7
Observe other lawyers	32.8	24.3	31.5	31.0	24.5	14.0
CLE courses	20.1	16.2	12.8	13.8	12.4	13.2
Advice from non-lawyers	2.2	0.7	1.4	1.0	--	1.1
Observe non-lawyers	1.5	--	0.5	0.5	--	2.7
Training at other school	--	0.7	--	1.0	--	--
Training by vendors	--	0.7	--	0.5	1.7	--
Other	4.5	4.1	3.7	2.0	3.8	10.0

D. Knowledge of the Substantive Law

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill – Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	93.3	91.1	91.3	91.1	82.8	91.5
Legal practice simulations	10.4	--	3.7	2.5	26.0	32.2
Law school clinics	0.7	3.4	2.8	5.4	1.4	1.1
Law review	2.2	4.7	6.4	6.4	1.5	--
Moot court/ competitions	6.7	6.8	8.3	6.9	5.0	2.9
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	40.3	37.8	33.0	28.7	42.5	22.6
Law related work experience	58.2	45.9	47.7	55.4	42.8	61.4
Advice from other lawyers	17.9	8.1	24.3	19.3	18.6	20.4
Observe other lawyers	13.4	2.7	9.6	4.5	6.9	6.6
CLE courses	35.8	41.8	32.6	43.1	28.8	38.5
Advice from non-lawyers	--	--	0.5	0.5	--	--
Observe non-lawyers	0.7	25.7	0.9	--	--	--
Training at other school	0.7	41.9	1.4	1.0	0.7	--
Training by vendors	0.7	1.4	0.5	--	2.4	1.8
Other	2.2	5.4	2.3	3.0	4.3	2.7

E. Library Legal Research

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	95.5	97.3	93.1	89.2	97.5	93.8
Legal practice simulations	14.9	7.4	5.5	6.9	38.6	35.1
Law school clinics	--	0.7	1.4	2.5	2.2	--
Law review	10.4	11.5	22.5	22.1	8.5	6.5
Moot court/ competitions	13.4	10.1	18.8	19.1	7.5	8.3
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	37.3	36.5	33.0	29.4	35.3	41.3
Law related work experience	49.3	53.4	51.4	54.9	33.9	48.5
Advice from other lawyers	7.5	9.5	8.7	3.9	4.3	9.1
Observe other lawyers	5.2	2.0	2.3	0.5	1.8	3.9
CLE courses	3.7	2.7	0.5	1.5	2.8	--
Advice from non-lawyers	2.2	1.4	3.2	3.4	1.4	1.1
Observe non-lawyers	1.5	--	1.4	--	--	--
Training at other school	0.7	2.0	0.9	1.5	--	1.1
Training by vendors	6.0	4.1	5.5	6.4	--	3.8
Other	0.7	4.1	1.4	2.9	4.2	2.7

F. Computer Legal Research

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	88.1	89.9	82.6	78.3	89.9	78.7
Legal practice simulations	10.4	6.1	5.0	4.9	26.8	36.3
Law school clinics	--	0.7	0.9	1.5	--	1.1
Law review	9.0	12.8	20.6	18.7	4.4	3.5
Moot court/ competitions	9.0	6.1	15.6	12.3	6.1	9.4
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	45.5	43.2	37.2	34.5	43.8	37.1
Law related work experience	42.5	40.5	45.4	46.8	26.4	30.1
Advice from other lawyers	8.2	6.1	5.5	3.9	6.7	5.1
Observe other lawyers	6.0	1.4	2.8	0.5	0.7	2.4
CLE courses	6.0	9.5	3.2	4.9	1.7	5.0
Advice from non-lawyers	3.0	2.7	2.3	3.4	2.0	1.1
Observe non-lawyers	0.7	0.7	1.4	0.5	--	2.4
Training at other school	0.7	0.7	1.4	0.5	--	--
Training by vendors	19.4	27.0	24.8	35.5	17.7	26.3
Other	1.5	3.4	1.4	2.5	5.3	8.2

G. Fact Gathering

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	33.8	38.5	16.0	16.0	22.7	31.0
Legal practice simulations	17.7	16.8	7.8	9.3	44.1	61.6
Law school clinics	2.3	7.0	9.2	16.5	5.0	12.8
Law review	2.3	0.7	1.5	3.6	1.5	1.2
Moot court/ competitions	5.0	6.3	4.9	4.6	2.2	11.0
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	61.5	60.8	67.0	61.9	70.9	61.7
Law related work experience	48.5	43.4	44.7	42.8	32.2	32.9
Advice from other lawyers	27.7	27.3	34.0	34.5	11.1	22.3
Observe other lawyers	32.3	32.9	38.3	35.1	25.4	21.8
CLE courses	7.7	4.2	1.9	4.1	4.6	1.1
Advice from non-lawyers	3.1	1.4	3.4	3.6	3.7	1.1
Observe non-lawyers	2.3	2.8	4.4	3.6	1.6	5.6
Training at other school	1.5	--	2.9	2.1	0.7	2.2
Training by vendors	--	--	--	--	--	--
Other	2.3	2.8	1.5	2.1	1.8	5.4

H. Oral Communication

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	46.2	36.1	33.0	34.2	29.6	35.4
Legal practice simulations	22.3	20.8	9.9	17.1	51.8	69.7
Law school clinics	2.3	4.2	6.6	6.7	4.7	6.9
Law review	0.8	--	1.4	1.0	1.5	--
Moot court/ competitions	16.2	20.1	31.6	34.7	12.7	18.6
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	73.1	69.4	71.7	63.2	70.4	60.3
Law related work experience	34.6	31.3	25.9	31.1	19.5	29.1
Advice from other lawyers	15.4	12.5	17.0	15.0	3.5	5.5
Observe non-lawyers	4.6	4.9	17.1	4.7	5.0	5.0
CLE courses	3.8	2.8	1.9	1.0	1.1	2.8
Advice from non-lawyers	1.5	1.4	2.8	1.0	0.7	1.1
Observe other lawyers	33.8	36.8	31.1	29.5	24.1	28.2
Training at other school	6.9	7.6	11.3	8.8	5.6	9.2
Training by vendors	--	--	--	0.5	--	--
Other	--	3.5	0.9	2.1	2.8	4.9

I. Written Communication

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	77.1	68.1	56.4	62.6	66.2	63.0
Legal practice simulations	16.0	11.8	4.3	7.2	48.3	71.0
Law school clinics	0.8	3.5	4.7	4.1	1.8	5.9
Law review	9.2	11.1	19.0	19.5	5.2	3.5
Moot court/ competitions	11.5	10.4	20.9	26.7	9.3	7.6
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	58.0	54.9	55.9	57.4	60.2	43.6
Law related work experience	44.3	42.4	41.7	45.1	32.0	39.8
Advice from other lawyers	14.5	24.3	21.8	15.4	11.7	17.2
Observe other lawyers	22.9	22.2	22.3	13.3	12.7	7.5
CLE courses	4.6	4.9	2.4	2.6	1.1	6.6
Advice from non-lawyers	--	2.1	2.4	1.5	2.4	4.5
Observe non-lawyers	0.8	1.4	1.4	1.0	0.9	2.2
Training at other school	9.9	8.3	16.6	9.7	6.3	4.8
Training by vendors	--	--	0.5	--	--	--
Other	--	4.2	--	1.5	2.2	3.7

J. Counseling

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	25.6	21.8	12.1	9.7	13.2	13.2
Legal practice simulations	20.2	16.9	11.2	4.9	52.4	57.4
Law school clinics	4.7	7.7	10.2	17.3	10.7	12.5
Law review	0.8	0.7	0.5	1.1	--	--
Moot court/ competitions	6.2	4.2	2.9	1.6	8.6	12.3
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	62.0	61.3	66.0	62.2	67.4	68.5
Law related work experience	31.0	30.3	26.2	27.6	19.9	16.2
Advice from other lawyers	27.9	25.4	37.9	35.7	16.2	15.0
Observe other lawyers	45.0	44.4	45.1	51.9	23.9	35.6
CLE courses	3.9	4.9	3.4	2.2	1.2	6.1
Advice from non-lawyers	2.3	4.2	3.4	3.2	4.2	1.1
Observe non-lawyers	5.4	7.0	6.3	6.5	4.3	3.4
Training at other school	0.8	2.1	4.4	2.7	4.6	2.2
Training by vendors	--	0.7	--	--	--	--
Other	0.8	2.8	1.9	1.6	3.0	3.9

K. Instilling Others' Confidence in You

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	11.7	10.1	4.4	5.4	9.1	2.6
Legal practice simulations	7.8	5.1	3.9	0.5	27.7	19.6
Law school clinics	3.1	5.1	6.8	9.7	27.7	19.6
Law review	1.6	0.7	2.9	2.7	1.5	--
Moot court/ competitions	3.1	2.9	1.5	3.2	6.2	4.2
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	82.0	78.3	80.5	80.0	84.7	85.4
Law related work experience	29.7	26.8	23.9	21.6	14.9	21.3
Advice from other lawyers	22.7	29.0	28.3	30.3	7.8	6.7
Observe other lawyers	43.0	39.9	37.6	41.1	1.5	--
CLE courses	4.7	2.2	1.5	1.1	1.1	2.9
Advice from non-lawyers	4.7	5.8	4.4	5.9	22.4	24.7
Observe non-lawyers	5.5	6.5	7.3	6.5	19.0	30.7
Training at other school	2.3	2.2	2.9	3.8	3.4	2.2
Training by vendors	--	0.7	--	--	--	--
Other	0.8	4.3	1.5	1.1	3.4	5.4

L. Negotiation

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	34.4	34.0	18.0	19.2	21.2	24.8
Legal practice simulations	19.1	19.9	12.8	11.0	53.9	62.8
Law school clinics	1.5	2.8	6.2	9.3	5.0	4.5
Law review	--	--	0.9	0.5	--	--
Moot court/ competitions	4.6	7.8	2.4	2.7	7.0	12.9
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	68.7	59.6	71.1	62.1	69.2	48.3
Law related work experience	31.3	25.5	23.2	17.6	16.3	21.5
Advice from other lawyers	21.4	24.1	31.8	37.4	19.2	18.5
Observe other lawyers	42.7	41.8	50.2	56.6	25.0	33.8
CLE courses	10.7	13.5	5.7	8.8	4.7	16.6
Advice from non-lawyers	3.8	--	1.9	2.2	4.1	--
Observe non-lawyers	8.4	5.0	9.0	5.5	3.4	2.4
Training at other school	4.6	2.8	3.8	1.1	3.4	2.9
Training by vendors	--	--	0.5	0.5	--	--
Other	2.3	2.8	1.9	1.6	1.1	5.4

M. Knowledge of Procedural Law

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	86.3	83.8	81.2	78.8	69.3	85.7
Legal practice simulations	16.0	7.7	3.3	7.8	52.6	53.4
Law school clinics	1.5	2.8	3.8	7.3	1.4	3.3
Law review	1.5	1.4	3.3	2.1	3.2	1.2
Moot court/ competitions	6.9	4.2	5.6	5.7	6.8	1.2
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	34.4	35.9	37.1	38.9	37.6	35.6
Law related work experience	47.3	43.0	46.5	43.0	30.7	38.1
Advice from other lawyers	22.1	29.6	26.8	24.4	23.5	29.6
Observe other lawyers	19.1	19.7	16.0	17.1	11.9	4.2
CLE courses	17.6	14.8	11.3	14.0	12.7	10.0
Advice from non-lawyers	1.5	1.4	1.4	0.5	1.1	--
Observe non-lawyers	0.8	--	1.4	--	--	--
Training at other school	0.8	0.7	0.5	0.5	0.7	--
Training by vendors	1.5	--	--	--	1.7	--
Other	2.3	5.6	2.3	1.6	2.9	3.8

N. Understanding and Conducting Litigation

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	43.8	45.9	34.8	34.9	23.5	30.7
Legal practice simulations	28.5	19.3	10.1	17.2	77.0	71.3
Law school clinics	2.3	3.7	5.3	8.6	5.4	2.6
Law review	--	1.0	--	1.5	--	--
Moot court/ competitions	5.4	4.4	8.2	6.5	10.3	8.2
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	41.5	32.6	41.5	37.1	38.7	36.5
Law related work experience	49.2	42.2	43.5	41.9	34.2	37.3
Advice from other lawyers	33.1	34.8	40.6	40.9	24.6	25.1
Observe other lawyers	43.8	42.2	43.5	44.6	24.5	34.7
CLE courses	10.0	14.1	6.3	10.2	7.7	8.3
Advice from non-lawyers	1.5	0.7	0.5	--	1.1	3.8
Observe non-lawyers	0.8	--	1.9	--	--	1.1
Training at other school	1.5	--	1.0	0.5	0.7	--
Training by vendors	--	--	0.5	--	1.7	--
Other	0.8	3.0	1.4	1.1	2.9	9.2

O. Organization and Management of Legal Work

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	18.8	12.1	6.3	7.9	17.5	9.7
Legal practice simulations	16.4	8.6	2.9	2.1	54.6	57.3
Law school clinics	3.1	3.6	5.3	9.5	1.8	6.1
Law review	--	0.7	1.0	1.1	--	--
Moot court/ competitions	3.1	1.4	1.0	2.6	2.6	3.6
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	64.1	59.3	66.7	61.9	54.7	60.4
Law related work experience	42.2	41.4	36.2	31.7	35.2	31.3
Advice from other lawyers	36.7	37.9	45.4	45.0	24.4	22.3
Observe other lawyers	37.5	42.1	53.6	49.7	21.1	35.7
CLE courses	3.9	5.0	4.3	5.3	5.3	6.4
Advice from non-lawyers	3.1	2.9	1.0	5.3	--	1.2
Observe non-lawyers	--	2.9	4.3	1.1	--	6.3
Training at other school	2.3	--	1.0	0.5	--	--
Training by vendors	--	2.9	0.5	--	--	--
Other	3.1	5.0	1.4	1.1	2.9	8.1

P. Ability to Obtain and Keep Clients

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	9.8	9.5	2.5	2.4	3.5	1.2
Legal practice simulations	4.9	2.4	1.0	3.0	11.5	15.2
Law school clinics	3.3	2.4	4.1	6.1	3.0	3.8
Law review	0.8	--	--	--	--	--
Moot court/competitions	--	--	--	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	66.4	54.8	64.5	54.5	78.3	67.0
Law related work experience	27.0	19.0	19.8	15.2	19.1	13.3
Advice from other lawyers	43.4	52.4	51.3	58.2	35.9	37.0
Observe other lawyers	50.8	53.2	58.9	60.0	38.5	40.5
CLE courses	5.7	1.6	3.0	2.4	6.0	10.0
Advice from non-lawyers	4.1	5.6	2.5	6.7	8.7	11.5
Observe non-lawyers	4.9	4.0	5.1	2.4	5.8	6.2
Training at other school	2.5	--	--	1.2	1.1	--
Training by vendors	--	0.8	--	1.2	--	--
Other	3.3	2.4	0.5	0.6	2.1	7.4

Q. Sensitivity to Professional Ethical Concerns

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	88.5	85.1	82.4	82.5	86.7	88.5
Legal practice simulations	4.6	3.5	4.8	3.6	33.4	27.2
Law school clinics	0.8	1.4	4.3	6.2	1.1	2.3
Law review	0.8	--	1.0	0.5	--	--
Moot court/ competitions	2.3	0.7	1.0	1.5	1.5	1.8
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	41.5	35.5	39.5	40.2	47.8	46.6
Law related work experience	30.8	26.2	23.8	18.0	10.0	20.2
Advice from other lawyers	29.2	31.2	31.0	33.5	18.5	22.4
Observe other lawyers	23.8	23.4	28.6	24.2	19.5	23.0
CLE courses	23.8	29.8	18.1	23.7	14.9	20.6
Advice from non-lawyers	2.3	0.7	0.5	--	3.5	--
Observe non-lawyers	0.8	3.5	1.4	0.5	--	--
Training at other school	1.5	0.7	1.0	0.5	1.4	--
Training by vendors	--	--	--	--	--	--
Other	--	3.5	1.0	2.1	1.1	3.8

B. Management Skills

1. Perceptions Regarding Management Skills

a. Importance

The 1999 survey of Minnesota attorneys in practice ten years or less also asked about respondents' perceptions of the importance to their practice of a number of management skills. The management skills were:

1. Fee arrangements, pricing, billing,
2. Human resources, hiring, support staff,
3. Capitalization, investment,
4. Project and time management, efficiency,
5. Planning, resource allocation, budgeting,
6. Market, client development,
7. Technology, computers, communications,
8. Governance, decision-making, long-range strategic planning, and
9. Interpersonal communications, staff relations.⁶⁰

The management skill that was perceived as most important was "project and time management, efficiency" (69%). The management skill perceived as least important by the respondents of the 1999 survey was "capitalization, investment" (29.9%).

b. Preparedness

Respondents were asked how well prepared they perceived themselves to be upon graduation from law school for the management skills. The majority of respondents did not perceive themselves to be well prepared in any of the management skills. Respondents perceived themselves to be most prepared for "technology, computers, and communications" (50.3%). Respondents perceived themselves to be least prepared for "capitalization, investment" (3.1%).

60. See generally THE LAWYER'S HANDBOOK: HOW TO EFFECTIVELY, EFFICIENTLY AND PROFITABLY MANAGE YOUR LAW FIRM, *supra* note 7, (providing additional information on the relevant management skills).

c. Whether Skills Can Be Learned in Law School

With one exception, 50% or more of responding attorneys believed that all nine of the management skills could be learned in law school.

Table 9. Management Skills: Importance, Preparedness and Ability to Learn in Law School

<u>Management Skills</u>	Percent perceiving...		
	Importance	Preparedness	The skill can be learned in law school
Project and time management, efficiency	91.9	31.9	77.3
Interpersonal communications, staff relations	91.6	42.1	51.9
Technology, computers, communications	81.9	50.3	94.0
Marketing, client development	69.7	7.9	67.7
Governance, decision-making, long range strategic planning	61.9	13.3	57.5
Planning, resource allocation, budgeting	61.2	12.8	64.6
Fee arrangements, pricing, billing	59.2	6.3	73.0
Human resources, hiring, support staff	57.8	10.2	49.0
Capitalization, investment	29.9	3.1	53.7

2. *Sources of Management Skill Training*

We asked the respondents to identify up to three sources where they acquired their management skills.⁶¹ We wondered to what extent law schools provided training in the nine management skills and to what extent lawyers acquired their training from other sources. We were curious how William Mitchell College of Law measured up to other law schools and if the Legal Practicum course provided different results. The general law school curriculum provided significant training in only two management skills areas: (1) Projected Time Management; and (2) Technology, Computer, Communications. In the other management skills areas the general curriculum provided no significant training for all respondents. Legal practice simulation did not provide a significant source of training for those respondents who did not graduate from William Mitchell College of Law and William Mitchell College Law graduates who did not participate in the Legal Practicum. The respondents who participated in the Legal Practicum indicated they received some significant training in the following management skills areas: (1) Fee arrangement, pricing, billing (51.5%); (2) Project and time management, efficiency (39.1%); (3) Planning, resource allocation, budgets (18.8%); (4) Technology, computers, communications (28.1%); and (5) Interpersonal communications, staff relations (18.7%).

The four primary sources for all management skills were:

- Own experience
- Law-related work experience
- Observe other lawyers
- Advice from other lawyers.

61. See *infra* Table 10.

Table 10. Management Skills: Sources Across William Mitchell, Non-William Mitchell and Legal Practicum Graduates

A. Fee Arrangements, Pricing, Billing

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training</u>			
Law school curriculum	5.9	2.6	7.8
Legal practice simulations	6.6	1.1	51.5
Law school clinics	0.4	2.0	2.3
Law review	0.4	--	--
Moot court/ competitions	--	0.3	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	53.9	56.3	50.7
Law related work experience	33.6	24.3	23.7
Advice from other lawyers	55.5	67.4	40.5
Observe other lawyers	50.4	53.7	34.5
CLE courses	6.3	4.0	5.7
Advice from non-lawyers	5.5	3.1	5.3
Observe non-lawyers	3.5	2.0	0.6
Training at other school	0.8	0.6	1.6
Training by vendors	1.6	0.6	1.1
Other	2.3	0.9	2.7

B. Human Resources, Hiring, Support Staff

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	0.4	0.8	1.2
Legal practice simulations	--	--	5.7
Law school clinics	--	1.1	1.2
Law review	--	--	--
Moot court/ competitions	--	0.3	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	75.6	73.7	80.6
Law related work experience	21.5	19.0	12.5
Advice from other lawyers	36.6	39.1	30.8
Observe other lawyers	39.4	45.3	30.9
CLE courses	3.7	1.1	1.7
Advice from non-lawyers	18.3	12.2	14.0
Observe non-lawyers	9.8	8.8	10.2
Training at other school	3.7	5.4	4.2
Training by vendors	1.2	0.3	--
Other	2.0	2.0	1.7

C. Capitalization, Investment

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	0.9	1.4	2.6
Legal practice simulations	0.9	--	3.9
Law school clinics	--	0.7	--
Law review	--	--	--
Moot court/ competitions	--	--	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	67.9	61.5	73.3
Law related work experience	12.1	11.8	8.1
Advice from other lawyers	40.0	43.8	27.9
Observe other lawyers	31.2	35.1	27.0
CLE courses	3.3	1.7	2.1
Advice from non-lawyers	18.1	16.0	15.1
Observe non-lawyers	6.0	6.3	7.0
Training at other school	3.7	5.6	9.8
Training by vendors	1.4	2.1	0.5
Other	1.9	0.7	5.9

D. Project and Time Management, Efficiency

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	17.6	16.2	10.3
Legal practice simulations	7.7	1.3	39.1
Law school clinics	1.1	4.1	1.9
Law review	1.5	4.6	--
Moot court/ competitions	1.8	3.0	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	79.8	77.2	84.6
Law related work experience	29.8	31.1	22.2
Advice from other lawyers	35.7	37.7	22.4
Observe other lawyers	36.8	38.0	27.2
CLE courses	5.1	4.3	3.5
Advice from non-lawyers	3.3	5.1	4.4
Observe non-lawyers	4.8	3.5	3.0
Training at other school	3.7	4.3	6.2
Training by vendors	1.1	1.3	0.4
Other	1.5	0.5	3.3

E. Planning, Resource Allocation, Budgeting

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	7.3	5.2	5.9
Legal practice simulations	2.8	1.4	18.8
Law school clinics	--	1.7	--
Law review	0.4	2.3	--
Moot court/ competitions	1.2	0.9	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	72.5	72.8	82.6
Law related work experience	19.4	18.1	14.8
Advice from other lawyers	41.3	43.6	24.9
Observe other lawyers	38.5	36.1	33.1
CLE courses	3.2	2.3	2.0
Advice from non-lawyers	9.7	9.5	6.9
Observe non-lawyers	6.9	7.7	6.9
Training at other school	3.2	4.3	6.1
Training by vendors	2.8	0.9	--
Other	1.6	1.4	4.6

F. Marketing, Client Development

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	2.8	1.1	5.8
Legal practice simulations	1.2	0.3	6.6
Law school clinics	0.8	1.1	1.2
Law review	0.4	0.3	--
Moot court/ competitions	0.4	--	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	59.8	64.2	69.2
Law related work experience	17.9	13.9	10.7
Advice from other lawyers	59.3	58.2	42.5
Observe other lawyers	52.0	63.1	39.7
CLE courses	7.3	2.8	9.4
Advice from non-lawyers	13.8	9.9	7.8
Observe non-lawyers	7.7	7.4	7.9
Training at other school	3.3	4.0	6.2
Training by vendors	--	1.1	--
Other	1.6	0.6	4.3

G. Technology, Computers, Communications

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	48.7	50.9	35.6
Legal practice simulations	6.2	1.3	28.1
Law school clinics	--	2.3	1.5
Law review	2.9	6.1	1.7
Moot court/ competitions	1.5	3.8	0.9
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	68.9	69.6	68.5
Law related work experience	28.9	27.3	16.3
Advice from other lawyers	11.4	11.4	15.9
Observe other lawyers	13.2	10.9	12.0
CLE courses	9.2	6.3	3.0
Advice from non-lawyers	13.9	10.1	11.7
Observe non-lawyers	5.5	2.8	5.3
Training at other school	7.3	6.3	5.5
Training by vendors	20.9	28.1	19.7
Other	2.2	1.3	3.6

H. Governance, Decision-Making, Long Range Strategic Planning

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	5.8	2.0	6.2
Legal practice simulations	0.8	--	6.7
Law school clinics	0.4	1.4	1.1
Law review	--	1.4	--
Moot court/ competitions	0.4	0.3	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	70.2	68.4	83.2
Law related work experience	13.6	14.7	8.2
Advice from other lawyers	43.8	42.4	29.9
Observe other lawyers	37.6	43.8	27.0
CLE courses	3.3	0.3	4.2
Advice from non-lawyers	14.5	9.3	6.9
Observe non-lawyers	8.7	7.9	6.6
Training at other school	4.5	4.5	7.1
Training by vendors	2.1	0.3	--
Other	2.1	2.3	3.5

I. Interpersonal Communications, Staff Relations

	WMCL	Non-WMCL	Practicum
<u>Source of Skill - Law School Training:</u>			
Law school curriculum	3.0	5.6	1.5
Legal practice simulations	1.9	1.0	18.7
Law school clinics	--	4.0	2.2
Law review	--	2.8	--
Moot court/competitions	--	1.5	--
<u>Source of Skill - Non-Law School Training:</u>			
Own experience	89.2	84.3	91.0
Law related work experience	22.0	22.0	14.7
Advice from other lawyers	29.9	25.3	17.6
Observe other lawyers	38.4	39.9	29.2
CLE courses	3.4	0.5	1.8
Advice from non-lawyers	12.7	10.9	7.9
Observe non-lawyers	12.3	11.1	11.1
Training at other school	4.9	6.1	9.0
Training by vendors	0.4	--	0.5
Other	1.9	1.5	1.8

3. *Differences Between Genders*

Although there are some significant differences between men and women when they indicate the source of their management skills training, unlike the legal skills areas, women do not seem to benefit more than men from legal practice simulations.⁶²

62. *See infra* Table 11.

Table 11. Management Skills: Identified Sources of Skill Among William Mitchell, Non-William Mitchell and Legal Practicum Students by Gender

A. Fee Arrangements, Pricing, Billing

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	6.9	4.8	2.2	3.0	11.2	2.4
Legal practice simulations	5.4	8.1	1.6	0.6	46.7	59.2
Law school clinics	--	0.8	1.1	3.0	--	5.9
Law review	0.8	--	--	--	--	--
Moot court/ competitions	--	--	0.5	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	57.7	50.0	59.0	52.7	54.0	45.4
Law related work experience	33.1	33.9	23.0	25.5	22.9	25.0
Advice from other lawyers	55.4	55.6	65.0	70.3	35.8	47.9
Observe other lawyers	53.1	47.6	54.6	52.1	33.0	36.8
CLE courses	5.4	7.3	4.4	3.6	6.6	4.2
Advice from non-lawyers	3.8	7.3	2.2	4.2	7.1	2.4
Observe non-lawyers	3.8	3.2	3.3	0.6	1.0	--
Training at other school	0.8	0.8	0.5	0.6	1.9	1.2
Training by vendors	1.5	1.6	0.5	0.6	--	2.9
Other	1.5	3.2	0.5	1.2	1.9	4.0

B. Human Resources, Hiring, Support Staff

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	0.8	--	1.6	--	2.0	--
Legal practice simulations	--	--	--	--	5.0	6.7
Law school clinics	--	--	1.1	1.2	--	3.2
Law review	--	--	--	--	--	--
Moot court/ competitions	--	--	0.5	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	76.0	75.6	74.1	73.5	82.7	77.3
Law related work experience	23.1	20.3	20.0	17.5	11.1	14.7
Advice from other lawyers	39.7	33.3	38.4	40.4	33.9	26.1
Observe other lawyers	43.8	35.0	43.8	42.8	34.3	25.4
CLE courses	2.5	4.9	2.2	--	2.0	1.3
Advice from non-lawyers	17.4	19.5	11.4	13.3	14.1	14.0
Observe non-lawyers	9.9	9.8	9.2	8.4	8.3	13.2
Training at other school	4.1	3.3	6.5	4.2	3.0	6.2
Training by vendors	0.8	1.6	--	0.6	--	--
Other	--	4.1	1.1	2.4	0.8	3.2

C. Capitalization, Investment

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	0.9	1.0	1.8	0.8	2.1	3.4
Legal practice simulations	0.9	1.0	--	--	4.2	3.4
Law school clinics	--	--	0.6	0.8	--	--
Law review	--	--	--	--	--	--
Moot court/ competitions	--	--	--	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	73.5	61.5	63.9	58.3	83.0	57.4
Law related work experience	14.5	9.4	13.9	8.3	7.5	9.0
Advice from other lawyers	41.0	38.5	42.8	45.8	31.3	22.4
Observe other lawyers	32.5	30.2	33.1	37.5	28.8	24.0
CLE courses	3.5	3.1	0.6	3.3	2.1	2.2
Observe non-lawyers	6.8	5.2	8.4	3.3	2.9	13.7
Advice from non-lawyers	13.7	22.9	18.1	13.3	11.4	21.1
Training at other school	6.0	1.0	6.6	4.2	9.5	10.2
Training by vendors	0.9	2.1	2.4	1.7	--	1.4
Other	0.9	3.1	0.6	--	5.3	7.0

D. Project and Time Management, Efficiency

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	23.1	12.9	18.3	13.6	11.3	8.7
Legal practice simulations	8.5	7.2	2.0	0.5	42.1	34.4
Law school clinics	0.8	1.4	3.0	5.2	0.7	3.9
Law review	1.5	1.4	4.0	4.7	--	--
Moot court/ competitions	1.5	2.2	4.0	2.1	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	78.5	81.3	75.2	79.1	87.3	80.2
Law related work experience	34.6	25.2	32.2	29.8	19.7	26.3
Advice from other lawyers	33.8	37.4	40.1	35.6	18.3	29.1
Observe other lawyers	37.7	36.0	37.6	38.2	29.6	23.5
CLE courses	4.6	5.8	2.5	6.3	3.6	3.3
Advice from non-lawyers	3.8	2.9	6.4	3.7	5.4	2.8
Observe non-lawyers	6.2	3.6	5.0	2.1	2.4	3.9
Training at other school	5.4	2.2	4.5	3.7	7.6	3.9
Training by vendors	1.5	0.7	1.5	1.0	--	1.1
Other	.08	2.2	1.0	--	2.2	5.0

E. Planning, Resource Allocation, Budgeting

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	11.4	3.3	5.3	5.1	8.3	1.7
Legal practice simulations	4.1	1.6	1.1	1.9	18.1	20.1
Law school clinics	--	--	1.6	1.9	--	--
Law review	0.8	--	2.1	2.5	--	--
Moot court/ competitions	2.4	--	1.6	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	72.4	73.0	76.2	68.4	86.4	76.2
Law related work experience	23.6	15.6	20.6	14.6	12.5	18.6
Advice from other lawyers	40.7	41.8	43.4	44.3	26.7	21.9
Observe other lawyers	38.2	39.3	34.4	38.0	33.8	31.9
CLE courses	3.3	3.3	1.6	3.2	1.8	2.4
Advice from non-lawyers	9.8	9.0	10.1	8.9	7.4	6.2
Observe non-lawyers	7.3	6.6	9.0	6.3	4.2	11.5
Training at other school	5.7	0.8	5.8	2.5	6.4	5.4
Training by vendors	2.4	3.3	1.1	0.6	--	--
Other	0.8	2.5	1.1	1.3	2.3	8.6

F. Marketing, Client Development

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	2.4	3.4	1.1	1.2	7.3	3.2
Legal practice simulations	0.8	1.7	--	0.6	7.1	5.8
Law school clinics	--	1.7	1.1	1.2	--	3.2
Law review	0.8	--	--	0.6	--	--
Moot court/ competitions	0.8	--	--	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	60.3	59.3	66.1	61.6	80.1	50.5
Law related work experience	16.7	18.6	17.2	9.8	11.2	9.7
Advice from other lawyers	57.9	61.0	55.4	62.2	39.1	48.3
Observe other lawyers	52.4	51.7	59.1	67.7	38.3	42.0
CLE courses	7.9	6.8	2.7	3.0	5.3	16.4
Advice from non-lawyers	11.9	16.1	9.1	11.0	7.2	9.0
Observe non-lawyers	9.5	5.9	8.1	6.7	10.0	4.4
Training at other school	4.8	1.7	4.3	3.7	6.3	6.2
Training by vendors	--	--	1.1	1.2	--	--
Other	1.6	1.7	0.5	0.6	1.5	9.2

G. Technology, Computers, Communications

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	48.9	49.3	51.2	50.5	39.5	29.4
Legal practice simulations	8.4	4.3	2.0	0.5	28.1	28.1
Law school clinics	--	--	1.5	3.2	--	3.8
Law review	2.3	3.6	7.4	4.7	1.7	1.8
Moot court/ competitions	0.8	2.1	3.0	4.7	1.5	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	73.3	65.0	75.9	63.2	76.1	56.4
Law related work experience	31.3	27.1	27.1	27.4	15.9	16.9
Advice from other lawyers	12.2	10.0	8.9	14.2	15.1	17.4
Observe other lawyers	11.5	15.0	10.3	11.1	14.4	8.2
CLE courses	9.2	9.3	5.4	6.8	2.4	7.7
Advice from non-lawyers	16.0	11.4	8.9	11.6	10.5	13.5
Observe non-lawyers	6.9	4.3	3.0	2.6	1.5	5.3
Training at other school	9.2	5.7	7.4	5.3	6.1	4.5
Training by vendors	18.3	23.6	22.2	34.2	10.2	34.8
Other	1.5	2.9	1.0	1.6	1.7	6.7

H. Governance, Decision-making, Long Range Strategic Planning

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	5.0	6.6	2.1	1.8	5.7	6.9
Legal practice simulations	1.7	--	--	--	4.6	9.9
Law school clinics	0.8	--	0.5	2.4	--	2.9
Law review	--	--	0.5	2.4	--	--
Moot court/ competitions	0.8	--	0.5	--	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	72.3	68.6	71.8	64.6	93.5	67.6
Law related work experience	16.0	11.6	18.1	10.4	10.6	4.4
Advice from other lawyers	42.0	45.5	39.9	45.7	24.9	37.6
Observe other lawyers	37.8	38.0	46.8	40.2	23.4	32.3
CLE courses	4.2	2.5	--	0.6	4.5	3.8
Advice from non-lawyers	12.6	16.5	11.2	7.3	8.7	4.2
Observe non-lawyers	10.1	7.4	9.0	6.7	5.5	8.1
Training at other school	6.7	2.5	5.9	3.0	8.7	4.6
Training by vendors	2.5	1.7	--	0.6	--	--
Other	0.8	3.3	2.1	1.8	1.9	5.9

I. Interpersonal Communications, Staff Relations

	WMCL		Non-WMCL		Practicum	
<u>Source of Skill - Law School Training:</u>						
	M	F	M	F	M	F
Law school curriculum	4.7	1.4	8.4	2.6	2.4	--
Legal practice simulations	2.4	1.4	1.0	1.0	18.0	19.9
Law school clinics	--	--	3.5	4.7	--	5.9
Law review	--	--	3.0	2.6	--	--
Moot court/ competitions	--	--	2.0	1.0	--	--
<u>Source of Skill - Non-Law School Training:</u>						
Own experience	87.4	91.3	84.7	84.4	90.5	91.7
Law related work experience	25.2	18.8	23.8	19.8	14.1	15.6
Advice from other lawyers	28.3	31.2	26.2	24.5	18.3	16.4
Observe other lawyers	40.2	37.0	35.1	44.8	23.2	38.9
CLE courses	3.9	2.9	0.5	0.5	1.7	1.9
Advice from non-lawyers	14.2	11.6	11.9	9.9	10.7	3.4
Observe non-lawyers	14.2	10.9	9.4	13.0	7.6	16.7
Training at other school	6.3	3.6	7.9	4.2	9.5	8.2
Training by vendors	--	0.7	--	--	--	1.2
Other	0.8	2.9	2.0	0.5	1.1	2.8

III. LAWYER SATISFACTION

Seventy-five percent of those attorneys surveyed in the 1997-98 survey indicated that they were satisfied with the practice of law as a meaningful part of their life.⁶³ We were able to examine existing trends in attorney job satisfaction among variables including gender, size of practice, geographic area, number of years as attorney, and age. The 1997-98 survey also permitted us to examine the impressions the responding attorneys had in regard to research and technology issues, law firm aesthetics, and future expectations of law firm growth.⁶⁴ The results indicate that while male and female respondents are equally satisfied with the practice of law as a meaningful part of their life, female respondents indicate greater difficulty with such things as sleep, irritability, fatigue and concentration.⁶⁵ The results also indicated attorneys in small towns employed by firms of ten or fewer attorneys, and firms located outstate in geographic locations with populations of more than 20,000 were least satisfied with the practice of law, and indicated greater difficulty with anxiety, sleep, depression, eating, anger, and irritability.⁶⁶

A. *Attorney Job Placement*

The job profile of law school graduates seems to follow a fairly uniform pattern, whether based on national, statewide, or individual law school statistics.

1. *National Statistics of 1991 and 1997 Graduates*

Each year, the National Association for Law Placement conducts a survey of that year's law school graduates. By analyzing selected findings from the Employment Report and Salary Survey conducted by the National Association for Law Placement, we can observe trends concerning job placement information for law school graduates entering the legal profession.

We decided to look at the results from the 1991 and 1997 Employment Report and Salary Survey to compare the results of 1991 graduates with those of 1997 graduates. The purpose of this com-

63. See *infra* Table 16.

64. See *infra* Appendix B.

65. See *infra* Tables 16, 17.

66. See *infra* Tables 18, 19, 20.

parison was to observe trends among graduating law students over the past decade. The 1991 survey includes 160 ABA accredited law schools (91%). Information was provided on 33,510 graduates, or 86.4% of the 1991 graduates. Employment status was reported for 29,671 or 77% of these students. In 1997, a total of 171 ABA accredited law schools, or 95%, participated in the survey. Collectively they provided information on 94% of the 40,114 graduates in the class of 1997. Employment status was reported for 88% of all graduates.

Of the 1991 graduates whose employment status was known, 86% were employed six months after graduation. Of the 1997 graduates, 89.2% were employed. Data collected on employer types—private practice, government, business/industry, judicial clerkship, public interest organizations, and academia—offer an understanding of how new graduates are absorbed into various areas of the legal profession. Of those 1991 students whose employment status was known, 76.2% held full-time legal positions and another 3.3% held part-time legal positions. Of the 1997 students, 78% accepted legal positions, and 11.3% accepted positions not directly involved in the practice of the law. Employment in full-time legal positions was 73.6%.

As in all prior years that National Association for Law Placement had collected job data, employed 1991 and 1997 graduates most frequently chose private practice (60.8% and 55.6% respectively). The highest level for this statistic occurred in 1998, at 64.3%. Public service employment, including government jobs, judicial clerkships, and public interest positions, accounted for 27.9% of jobs taken by 1991 employed graduates, and 27.4% of jobs taken by 1997 employed graduates.

Table 12. National Graduate Placement

<u>Area of Practice</u>	<u>1991</u>	<u>1997</u>
Private Practice	60.8%	55.6%
Public Service	27.9%	24.7%

Jobs in very small firms of 2-10 attorneys were by far the most frequent for 1997 graduates, accounting for just under one-third of law firm jobs taken (17.6% of all jobs taken by law graduates). 6.2% accepted positions at firms of 101-250 attorneys, accounting

for the next largest share of jobs. Of law jobs, 42% taken were in small firms of 25 attorneys or fewer.

2. William Mitchell College of Law Statistics

We compared WMCL graduates to both the national data and the results provided by the 1997-98 survey using data provided by WMCL's own survey of its 1997 graduating class. The total number of graduates was 293 students (146 males, 146 females). Two hundred and seventy-three graduates responded to the survey (134 male, 139 female), or 93.2% of the class.

Of the 1998 WMCL graduates whose employment status was known, 94.1% were employed shortly after graduation. Data was also collected on employer types—private practice, business and industry, government, public interest, and academic. Of the 1997 William Mitchell College of Law graduates whose employment status was known, 42.8% chose private practice, 27.6% chose positions in business and industry, government jobs accounted for 26.5% of those taken by 1997 graduates, 2.3% chose public interest, and 0.8% chose academia.

Table 13. 1998 WMCL Graduate Placement

Type of Practice	Percentage
Private Practice	42.8%
Business and Industry	27.6%
Government	26.5%
Public Interest	2.3%
Academic	0.8%

Of the 110 respondents, 42.8% graduates that chose private practice, 60.9% chose firms of ten attorneys or less, 19.1% chose firms consisting of between eleven and fifty attorneys, and 20% took positions with firms of more than fifty attorneys.

3. Minnesota State Bar Association Statistics

In Minnesota, graduates most often choose private practice as their profession immediately upon graduation from law school. The Minnesota State Bar Association has provided the following information available to it concerning the number of firms in various practice sizes in Minnesota. This is not a complete list of all Minne-

sota law firms but represents information provided by members of the Minnesota Bar Association. Attorneys who are not members of the Bar Association were not surveyed.

Table 14. Number of Minnesota Firms by Practice Size

Description	Number of Firms
Solo Practitioner	1448
2 to 5 Attorneys	1275
6 to 10 Attorneys	220
11 to 20 Attorneys	108
21 to 50 Attorneys	83
51 to 100 Attorneys	28
More than 100 Attorneys	48 ⁶⁷

4. 1997-98 Survey of Minnesota Attorneys in Practice 0-30+ Years

Of those surveyed in the 1997-98 Survey of Minnesota Attorneys, all but three respondents indicated their particular area of practice. Of those respondents whose employment status was known, 85.2% were in private practice, 5% had chosen corporate practice, 5.1% were employed in government practice, and 4.6% listed their area of specialty as "other."

Table 15. Minnesota Attorneys in Practice 0-30+ Years

Type of Practice	Percentage
Private Practice	85.0%
Corporate Practice	5.0%
Government Practice	5.1%
Other	4.6%

The 1997-98 surveyed a sample of Minnesota practicing attorneys including 833 males (82%), and 182 females (18%). Of those responding, 13% were in solo practice, 30% in firms with two to five lawyers, 12% in firms of six to ten lawyers, 9% in firms with eleven to twenty lawyers, 11% in firms of twenty-one to fifty lawyers, 8% in firms with fifty-one to one hundred lawyers, and 18% in

67. Data provided by Tim Groshens; Executive Director of the Minnesota State Bar Association (on file with author).

firms with more than one hundred lawyers. Of those responding, 51% described their practice setting as Minneapolis-St. Paul, 18% described it as the surrounding suburbs of Minneapolis-St. Paul, 6% as outstate-Duluth or Rochester, 10% as outstate-population of 20,000 or more, and 7% as outstate-population between zero and 10,000. Only 1% of respondents practiced outside of Minnesota.

B. Minnesota Attorney Job Satisfaction

1. Generally

We are often led to believe that most lawyers, male and female, young and old, city and country, big firm and small firm are dissatisfied with their profession.⁶⁸ Our research indicates that 74.7% of Minnesota attorneys generally agree with the statement "I am satisfied with the practice of law as a meaningful part of my life," while only 12.2% of the 1038 respondents disagreed with the statement. In the Minnesota data, there is not a statistically significant gender difference in overall satisfaction.⁶⁹ Of the respondents, 72.3% of women and 75.3% of men agreed with the statement (scored a 5 or higher on 7-point scale), with 17.5% of women and 20.7% of men reporting that they strongly agreed with the statement. Only 14.1% of women and 11.8% of men disagreed with the statement on job satisfaction (scored a 3 or below on the 7-point scale), with only 2.8% of women and 1% of men strongly disagreeing with the statement.

Minnesota lawyers were also asked to rate their response to the question "I am considering leaving the practice of law" on the same 7-point scale. Again, the results yielded no statistically significant differences between genders: 21.1% of women and 21% of men agreed with the statement (scored a 5 or higher on the 7-point scale), with 7% of women and 4.5% of men strongly agreeing with the statement. Further, 67.3% of women and 68.4% of men disagreed with the statement on considering leaving the practice of law (scored a 3 or below on the 7-point scale), with 31.6% of women and 35.1% of men strongly disagreeing with the statement.⁷⁰ The Minnesota findings are similar to recent studies con-

68. See Geoffrey C. Hazard Jr., *How come we're happy?*, NAT'L L.J., Apr. 26, 1999, at A18.

69. See *infra* Table 17.

70. See *infra* Table 16.

ducted in Chicago and Toronto.⁷¹

Table 16. Percentage Satisfied and Considering Leaving By Gender

	Agree		Disagree	
	Female 1-3	Male 1-3	Female 5-7	Male 5-7
Satisfied w/ Practice	72.3	75.3	14.1	11.8
Considering Leaving	21.1	21.0	67.3	68.4

In the 1997-98 survey, Minnesota attorneys were asked to rate on a 7-point scale how often they experienced difficulty with the following: (a) Concentration; (b) Anxiety; (c) Sleep; (d) Depression; (e) Eating; (f) Anger; (g) Irritability; (h) Fatigue; (i) Isolation; and (j) Hopelessness. The ten areas (a-j) were included to assess emotional distress.⁷² The consistency of these items as a measuring device for emotional distress is supported through research and psychometric testing developed by Aaron T. Beck.⁷³

The results from these listed variables did display several significant differences between genders. Male respondents experienced all ten of the listed variables at a lower frequency than female respondents. There were significant differences in results between genders for the three of the ten variables. Of females, 27.4% stated that they had difficulty with sleep (scored between 5-7), while 16.3% of men recorded difficulty with sleep (11.1% difference); 16.4% of female respondents versus 6.5% of male respondents reported difficulty with eating (9.9% difference); and 50.3% of female respondents compared to 30.7% of male respondents reported difficulty with fatigue (19.6% difference.)

71. See *infra* notes 79-83 and accompanying text.

72. Richard R. Wagner, Licensed Independent Clinical Social Worker and practitioner in Minneapolis, Minnesota, recommended the ten areas to assess emotional distress.

73. See AARON T. BECK, DEPRESSION: CAUSES AND TREATMENT (1972). Dr. Beck's research has resulted in a testing instrument for depression, "The Beck Depression Inventory-II." See *id.*

Table 17. Percentage "Experiencing Difficulty" By Gender

<u>Experience</u>	Never Experience Difficulty		Always Experience Difficulty	
	Female 1-3	Male 1-3	Female 5-7	Male 5-7
Concentration	57.7	64.2	19.7	13.6
Anxiety	41.8	48.4	34.0	28.6
Sleep	56.1	69.3	27.4	16.3
Depression	68.1	81.8	15.3	9.8
Eating	72.0	86.7	16.4	6.5
Anger	69.3	70.4	14.2	12.7
Irritability	51.9	58.0	28.4	20.5
Fatigue	30.0	47.7	50.3	30.7
Isolation	68.7	74.8	15.9	13.0
Hopelessness	89.0	91.5	7.1	3.4

Despite experiencing greater difficulty with all ten of the listed variables, women lawyers reported overall job satisfaction that was equivalent to male lawyers' satisfaction.

2. *Similar Studies*

A National Survey of Career Satisfaction/Dissatisfaction, "The State of the Legal Profession 1990,"⁷⁴ was conducted by the American Bar Association Young Lawyers Division. Testing a representative sample of over 3,000 attorneys and examining changes over time in lawyer's attitudes towards their work between 1984 and 1990,⁷⁵ it provides a reliable means for understanding satisfaction/dissatisfaction among individual lawyers.

According to the 1990 Young Lawyers Division study, 20% fewer respondents in 1990 than in 1984 reported that they were "very satisfied" with their jobs.⁷⁶ At the same time, more respondents in 1990 reported being dissatisfied with their work.⁷⁷ The study also reported that 71% of all respondents in 1990 reported

74. ABA YOUNG LAWYERS DIVISION, THE STATE OF THE LEGAL PROFESSION—1990 (1991).

75. *See id.* at 1.

76. *See id.* at 52.

77. *See id.*

they “frequently feel fatigued or worn out at the end of the work-day,” compared to 61% who reported the same thing in 1984.⁷⁸

In contrast to these findings of lower levels of satisfaction among lawyers today, there are several studies that have produced findings indicating that lawyers are generally satisfied with their occupation. In 1994 and 1995, American Bar Foundation researchers conducted face-to-face interviews with a random sample of Chicago lawyers.⁷⁹ The 675 respondents rated their overall job satisfaction on a 5-point scale that ranged from 1 for “very dissatisfied” to 5 for “very satisfied.”⁸⁰ Most Chicago lawyers were satisfied with their jobs, with a mean response of 4.21.⁸¹ There were no statistically significant gender differences in overall satisfaction; female respondents scored an average of 4.13 and male respondents an average of 4.24 on the 5-point scale.⁸² Similar results were also cited in a 1994 Toronto-based study.⁸³ Hagan and Kay’s research on Toronto lawyers found that 81% of men and 78% of women reported were either satisfied or very satisfied with their jobs in 1985 and 79% of men and 78% of women reported such satisfaction in 1991.⁸⁴

78. See *id.*

79. See John P. Heinz, *Lawyers and Their Discontents: Findings from a Survey of the Chicago Bar*, 74 IND. L.J. 735 (1999).

80. See *id.* at 742.

81. See *id.* at 743.

82. See *id.*

83. See John Hagan & Fiona Kay, *Gender in Practice: A Study of Lawyers’ Lives*, 155-56 (1995)

84. See *id.* For studies on job satisfaction in other professions see U.S. DEP’T OF EDUCATION, SCHOOLS AND STAFFING SURVEY (1993-94) (secondary school teachers); Michael D. Burdi & Laurence C. Baker, *Physicians’ Perceptions of Autonomy and Satisfaction in California*, 18 HEALTH AFFAIRS, July-August 1999, at 134 (physicians); Mary Guptill Warren et al., *The Impact of Managed Care on Physicians*, HEALTH CARE MGMT. REV., Spring 1999, at 49 (physicians); Jesse D. Beeler et al., *A Survey Report of Job Satisfaction and Job Involvement Among Governmental and Public Auditors*, THE GOV’T ACCT. J., Winter 1997, at 30 (accountants); Dale E. Marxen, *The Big 6 Experience: A Retrospective Account by Alumni*, 10 ACCT. HORIZONS, June 1996, at 73 (accountants); Dennis M. Patten, *Supervisory Actions and Job Satisfaction: An Analysis of Differences Between Large and Small Public Accounting Firms*, 9 ACCT. HORIZONS, June 1995, at 17 (accountants); Martha Sawyer Allen, *Minnesota’s Clergy: Their Faith and Life: Pastoral Peace at Risk in Material World*, STAR TRIB. (Minneapolis-St. Paul), Apr. 21, 1991, at 1A (clergy); Martha Sawyer Allen, *Minnesota’s Clergy: Their Faith and Life: Catholic Priests More Likely to Say They’re Satisfied*, STAR TRIB. (Minneapolis-St. Paul), Apr. 21, 1999, at 16A (clergy).

3. *By Categories*

a. *Practice Size*

Minnesota lawyers of various practice sizes generally seem to be satisfied with their jobs.⁸⁵ Respondents were split into subgroups of solo practitioners, 2-5 attorney firms, 6-10 attorney firms, 11-20 attorney firms, 21-50 attorney forms, 51-100 attorney firms, and firms consisting of 100 or more attorneys.

There are a number of differences in responses among the various sizes of practice settings in which Minnesota lawyers work. Respondents employed by firms consisting of 51-100 attorneys most frequently agreed with the statement: 84.2% of these respondents scored a 5 or higher on the 7-point scale, with 15.8% strongly agreeing with the statement. In contrast, respondents employed by firms consisting of 6-10 attorneys scored the lowest, with 65.8% of these respondents agreeing with the statement (scored a 5 or higher on the 7-point scale), and 15.8% strongly agreeing with the statement.

Minnesota lawyers in various practice sizes were also asked to rate their response to the question "I am considering leaving the practice of law" on the same 7-point scale. Attorneys employed by firms consisting of 51-100 attorneys, who recorded the highest degree of job satisfaction, also most frequently agreed with the statement concerning leaving the law practice. Of these respondents, 24.9% agreed with the statement (scored a 5 or higher on the 7-point scale), with 7.1% of respondents strongly agreeing with the statement. It is interesting to note that attorneys in firms of 2-5 attorneys indicated substantially more satisfaction than respondents of other small firms and indicated more satisfaction than all but respondents in firms of 51-100 people. Respondents employed by firms of 2-5 attorneys were least likely to consider leaving the practice of law: 18.8% of these respondents agreed with the statement, with 3.4% strongly agreeing with the statement.

85. See *infra* Table 18.

Table 18. Percentage Satisfied/Considering Leaving Practice By Size of Practice

	Solo	2-5	6-10	11-20	21-50	51-100	100+
<u>Agree (5-7 on 7-point scale)</u>							
Satisfied w/ Practice	69.6	77.6	65.8	74.4	74.4	84.2	73.0
Considering Leaving	22.5	18.8	19.8	23.2	19.8	24.9	23.3
<u>Disagree (1-3 on 7-point scale)</u>							
	Solo	2-5	6-10	11-20	21-50	51-100	100+
Satisfied w/ Practice	19.2	9.6	11.7	11.7	8.8	12.4	14.1
Considering Leaving	63.6	72.5	67.3	66.1	69.9	71.5	63.4

Respondents in firms consisting of more than 20 attorneys experience the least amount of difficulty with factors of emotional distress.⁸⁶ Some exceptions are the higher scores for respondents in 21-50 attorney firms in the area of concentration, and greater difficulty with fatigue for respondents in 51-100 attorney firms. Respondents in firms consisting of less than 10 attorneys experience more difficulty with all other areas. Most notably, respondents in firms of 6-10 attorneys experienced the highest or next-to-highest degree of difficulty in eight of the ten areas: concentration, sleep, eating, anger, irritability, fatigue, isolation, and hopelessness.

86. See *infra* Table 19.

Table 19. Percentage "Never experienced difficulty" (1-3 on 7-point scale) By Size of Practice

	Solo	2-5	6-10	11-20	21-50	51-100	100+
Concentration	61.3	61.5	59.2	64.6	43.7	69.0	63.4
Anxiety	43.7	41.0	48.3	44.2	50.8	57.9	53.5
Sleep	61.5	68.7	64.2	64.4	68.0	77.3	65.7
Depression	74.7	78.1	75.7	82.2	89.7	87.8	75.6
Eating	84.9	82.1	80.8	86.9	90.4	86.0	83.0
Anger	70.9	66.7	63.4	69.2	77.8	71.5	76.1
Irritability	55.2	57.7	52.9	60.8	60.4	54.4	55.5
Fatigue	45.5	51.0	38.4	40.0	50.8	31.6	41.2
Isolation	63.0	74.0	72.5	77.7	80.1	80.7	72.6
Hopelessness	85.0	90.6	87.5	91.5	92.0	98.3	94.2

b. Geographic Location

Minnesota lawyers practicing in different geographic locations also generally seem to be satisfied with their jobs.⁸⁷ Respondents were split into five subgroups: (1) Metro Minneapolis/Saint Paul area; (2) Surrounding suburbs of Minneapolis/St. Paul; (3) Outstate—Duluth or Rochester; (4) Outstate—population of 20,000+ (not including areas already mentioned); and (5) Outstate—population less than 20,000.

Respondents, in general, were satisfied with their careers, but there were some differences as gauged by geographic location. Respondents least likely to agree with the statement worked in outstate locations with more than 20,000 people. Seventy percent of these respondents scored a 5 or higher on the 7-point scale, with 6.9% strongly agreeing with the statement. In contrast, respondents working at firms located in the suburbs of the metropolitan Twin Cities area were the most satisfied, with 79.6% of these respondents agreeing with the statement (scored a 5 or higher on the 7-point scale), and 21.4% strongly agreeing with the statement.

Minnesota lawyers were also asked to rate their response to the question "I am considering leaving the practice of law" on the same

87. See *infra* Table 20.

7-point scale. Attorneys employed by firms located in the Metro Minneapolis/Saint Paul most frequently agreed with the statement. Of these respondents, 23.8% agreed with the statement (scored a 5 or higher on the 7-point scale), with 4.3% of respondents strongly agreeing with the statement. In contrast, respondents employed by firms located Outstate—population of 20,000+ least frequently agreed with the statement that they were considering leaving the practice of law: 13.7% of these respondents agreed with the statement.

Table 20. Percentage Satisfied/Considering Leaving By Geographic Location of Practice

	Metro	Subs	Dul/Roch	0-20k Out- state	20k+ Out- state
<u>Agree (5-7 on 7 point scale)</u>					
Satisfied w/ Practice	73.5	79.6	77.2	78.9	69.6
Considering Leaving	23.8	18.3	19.2	17.2	13.7
<u>Disagree (1-3 on 7 point scale)</u>					
	Metro	Subs	Dul/Roch	0-20k out- state	20k+ out- state
Satisfied w/ Practice	12.1	11.4	14.1	13.3	8.8
Considering Leaving	65.0	72.6	72.4	69.5	65.7

Respondents in firms located in the Metro areas (Minneapolis/St. Paul, Metro Suburbs, and Duluth/Rochester) experience the least amount of difficulty with factors of emotional distress.⁸⁸ In contrast, respondents located Outstate 20,000+ appear to experience more difficulty. Attorneys practicing in these geographic areas scored the lowest on six of the nine variables.

88. See *infra* Table 21.

Table 21. Percentage "Never experienced difficulty" (1-3 on 7-point scale) By Geographic Location of Practice

<u>Experience</u>	Metro	Subs	Dul/Roch	0-20k out-state	20k+ out-state
Concentration	64.7	60.8	65.6	60.2	61.8
Anxiety	50.7	46.7	47.5	45.3	33.3
Sleep	67.1	69.9	70.7	65.6	55.9
Depression	79.7	80.4	86.2	80.5	74.5
Eating	83.9	85.4	86.2	85.9	63.7
Anger	71.5	75.9	60.3	72.9	60.8
Irritability	57.7	60.8	50.0	62.5	43.1
Fatigue	47.2	42.0	37.9	46.9	40.2
Isolation	75.1	73.5	77.3	73.4	70.6
Hopelessness	92.7	87.0	88.1	93.8	88.2

c. Age

Minnesota lawyers of all ages are generally satisfied with their practice of the law.⁸⁹ Respondents were split into five different categories: Less than 30 years of age, 31-40 years, 41-50 years, 51-60 and 60 years and above.

Attorneys 61 years or older most often agreed with the statement: 94.1% of these respondents scored a 5 or higher on the 7-point scale, with 41.8% strongly agreeing with the statement. In contrast, respondents 31-40 years old scored the lowest, with 63.2% of these respondents agreeing with the statement (scored a 5 or higher on the 7-point scale), and 11.0 % strongly agreeing with the statement.

Attorneys 61 years or older, who recorded the highest degree of job satisfaction, also agreed with the statement concerning leaving the law practice: Of these respondents, 35.5% indicated they were considering leaving the practice of law (scored a 5 or higher on the 7-point scale), with 13.3% of respondents strongly agreeing with the statement. In contrast, respondents less than 30 years of age were least likely to consider leaving the practice of law: 15.8% of these respondents agreed with the statement, with 2.9% strongly

89. See *infra* Table 22.

agreeing with the statement. Respondents 31-40 years of age were least satisfied with the practice of law by a substantial margin and were more likely to consider leaving the practice than other respondents under the age of 50.

Table 22. Percentage Satisfied/Considering Leaving By Age of Practitioner

	<30	31-40	41-50	51-60	61+
<u>Agree (5-7 on 7-point scale)</u>					
Satisfied w/ Practice	78.9	63.2	70.9	75.9	94.1
Considering Leaving	15.8	21.7	16.6	22.6	35.5
<u>Disagree (1-3 on 7-point scale)</u>					
	<30	31-40	41-50	51-60	61+
Satisfied w/ Practice	9.8	20.2	13.5	11.3	2.9
Considering Leaving	74.2	65.8	71.2	77.7	59.3

Attorneys 61 years or older experience the least amount of difficulty with emotional distress factors.⁹⁰ These attorneys recorded the least amount of difficulty with nine of the ten variables. Attorneys under 40 years of age indicated more difficulty in all categories. Attorneys less than 30 years old experienced the highest or next-to-highest degree of difficulty in eight of the ten variables: concentration, anxiety, sleep, eating, anger, irritability, fatigue, and hopelessness. Attorneys 31-40 years old also experienced the highest or next-to-highest degree of difficulty in eight of the ten listed variables: anxiety, sleep, depression, anger, irritability, fatigue, isolation and hopelessness.

90. See *infra* Table 23.

Table 23. Percentage "Never experienced difficulty" (1-3 on 7-point scale) By Age of Practitioner

<u>Experience</u>	<30	31-40	41-50	51-60	61+
Concentration	53.4	64.3	64.4	61.0	63.7
Anxiety	42.5	42.3	43.4	46.9	64.9
Sleep	62.9	60.1	65.7	67.6	78.3
Depression	76.3	73.6	74.9	81.5	94.8
Eating	75.3	80.2	83.2	86.2	90.2
Anger	68.4	61.3	71.8	69.9	76.7
Irritability	47.9	47.4	54.3	59.4	87.1
Fatigue	37.4	38.4	42.9	47.8	54.2
Isolation	72.6	64.1	70.5	76.5	87.9
Hopelessness	90.2	83.7	90.9	92.3	97.0

For attorneys remaining in practice, the tables indicate that job satisfaction increases with age and difficulties decrease substantially.

d. Years in Practice

Minnesota lawyers that have been in practice for any number of years are also generally satisfied with their practice of the law.⁹¹ Job satisfaction seems to grow with years in practice. Attorneys in practice 11-20 years are more likely to consider leaving the practice of law than other attorneys in practice less than 30 years. Here, respondents were split into four different categories: attorneys in practice 0-10 years, attorneys in practice 11-20 years, attorneys in practice 21-30 years, and attorneys in practice more than 30 years (31+).

Respondents were asked to rate their response to the statement "I am satisfied with the practice of law as a meaningful part of my life" on a 7-point scale, ranging from 1 for "strongly disagree" to 7 for "strongly agree." More attorneys in practice 31+ years agreed with the statement than other respondents by a substantial margin: 86.1% of these respondents scored a 5 or higher on the 7-point scale, with 34.4% strongly agreeing with the statement. In contrast,

91. See *infra* Table 24.

respondents in practice 0-10 years, scored the lowest, with 67.7% agreeing with the statement (scored a 5 or higher on the 7-point scale), and 15.4 % strongly agreeing with the statement.

When responses from Minnesota lawyers were compared on the basis of the number of years in practice, the response to the question "I am considering leaving the practice of law" indicated attorneys in practice 31 years or more, who had the highest degree of job satisfaction, also were most likely to consider leaving the law practice. Of these respondents, 34.9% agreed with the statement (scored a 5 or higher on the 7-point scale), with 11.8% of respondents strongly agreeing with the statement. In contrast, respondents in practice 21-30 years were least likely to consider leaving the practice of law: 15.3% of these respondents agreed with the statement, with 2.3% strongly agreeing with the statement.

Table 24. Percentage Satisfied/Considering Leaving By Years in Practice

<u>Agree (5-7 on 7-point scale)</u>	Years in Practice			
	0-10	11-20	21-30	31+
Satisfied w/ Practice	67.7	73.5	74.3	86.1
Considering Leaving	18.5	21.5	15.3	34.9
<u>Disagree (1-3 on 7-point scale)</u>				
	0-10	11-20	21-30	31+
Satisfied w/ Practice	16.1	12.6	12.3	6.7
Considering Leaving	67.8	68.5	75.0	56.2

Attorneys in practice 31 or more years experience the least amount of difficulty with emotional distress factors.⁹² These attorneys recorded the least amount of difficulty with nine of the ten variables. In contrast, those attorneys in practice 0-10 years indicated that they experienced the highest degree of difficulty in all ten of the areas, but are less likely to consider leaving the practice of law than those in practice 11-20 years.

92. See *infra* Table 25.

Table 25. Percentage "Never Experienced Difficulty" (1 to 3 on a 7-point scale) by Years in Practice

<u>Experience</u>	0-10	11-20	21-30	31+
Concentration	59.7	61.7	69.8	60.2
Anxiety	41.7	47.5	46.1	60.7
Sleep	57.8	70.5	67.7	73.2
Depression	70.2	79.7	79.1	91.1
Eating	76.1	84.0	87.2	89.2
Anger	63.1	72.3	70.5	76.5
Irritability	48.2	55.7	56.2	69.9
Fatigue	39.4	42.1	45.4	52.7
Isolation	65.7	71.5	73.8	85.8
Hopelessness	84.0	91.3	92.4	97.1

C. Work Environment

In this section we examine an attorney's work environment across three variables: (1) the number of years the attorney had practiced; (2) the size of the firm in which the attorney was employed; and (3) the community in which the practice was located. We broke down the years of practice into the following categories: 0-10 years, 11-20 years, 21-30 years and over 30 years in practice. The size of the firms were (1) solo practice; (2) 2-5 attorneys; (3) 6-10 attorneys; (4) 11-20 attorneys; (5) 21-50 attorneys; (6) 51-100 attorneys; and (7) more than 100 attorneys. We divided the geographic communities into five categories: (1) Minneapolis and St. Paul; (2) suburbs of Minneapolis and St. Paul; (3) Duluth and Rochester; (4) outstate communities with more than 20,000 people; and (5) outstate communities with less than 20,000 people.

In each of the categories we asked a series of questions to determine how involved the attorneys were in designing their office environment, the importance of a number of factors and how adequate the attorneys perceived their work environment to be. We asked the following questions:

(1) Involvement: On a scale of 1 to 7, with "1" being "not at all involved" and "7" being "very involved," how involved were you in the following decisions concerning your office space?

- a. The design of the entire law office
- b. The design of my personal work area
- c. The selection of furnishings for the entire law office
- d. The selection of furnishings for my personal work area

(2) Adequacy: On a scale of 1 to 7 with "1" being "not at all adequate" and "7" being "very adequate," how adequate is the:

- a. entire law office space,
- b. personal work space, and
- c. personal work furnishings?

Questions 25, 26 and 27 dealt with the following categories:

- a. Technology
- b. Client comfort
- c. Staff/Attorney comfort
- d. Team interaction
- e. Client interaction
- f. Legal research

(3) Importance: Using the same seven point scale, how important to the office space are:

- a. Aesthetics
- b Image
- c. Privacy
- d. Video conferencing
- e. Technology, i.e. computers
- f. Interactive open spaces
- g. Natural light
- h. Storage?

We asked the respondents to rate the importance of each of the following items in terms of the general work environment at the law firm:

- a. Reception area furnishings
- b. Conference room furnishings
- c. General filing
- d. Personal desk
- e. Personal chair
- f. Personal filing
- g. Technology, i.e. computers
- h. Natural light
- i. Storage
- j. Accessories, e.g., coat racks, plants, lamps, etc.

Finally we asked the respondents to rate the importance of seven items when they considered their own personal office furniture. The seven items are:

- a. Aesthetics
- b. Image
- c. Price
- d. Functionality
- e. Availability
- f. Ergonomics
- g. Technology

1. Years as an Attorney

Attorneys with 21 to 30 years in practice were as involved in the design and furnishings of the practice environment as those with 30 or more years in practice. Approximately 50% indicated they were very involved in the design of the entire law office; 75% indicated they were very involved in the design of their personal workspace; 47% indicated they were very involved in the selection of furnishings for the entire office; and 84% were involved in the selection of furnishings of furnishings for their own personal space.

Table 26. Percentage Involved in Decisions Concerning the Design of the Office Environment By Years as an Attorney

<u>Office Environment</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Design of Entire Law Office	14.3	39.8	51.5	50.2
Design of Personal Work Space	46.7	72.9	76.6	75.6
Furnishing Selection of Entire Office	17.3	39.4	46.2	47.8
Furnishing Selection of Personal Space	32.4	71.3	83.6	84.3

When asked to indicate how important were certain aspects of the general work environment the responses were similar, except that those in practice 11-20 years ranked technology and natural light substantially higher in importance than other respondents. Accessories were substantially more important to those in practice ten years or less and were least important to those in practice 11-20 years.

Table 27. Percentage Who Perceive Certain Aspects of the General Work Environment as Important By Years as an Attorney

<u>General Work Environ- ment</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Reception Area Furnishings	73.1	77.1	82.2	83.8
Conference Furnishings	78.8	81.2	85.7	89.4
General Filing	67.7	68.8	65.2	76.7
Personal Desk	73.0	78.9	80.4	81.8
Personal Chair	77.0	82.0	81.0	83.5
Personal Filing	69.8	70.1	71.1	75.2
Technology	85.6	91.6	85.9	84.2
Natural Light	73.1	84.0	78.4	77.0
Storage	65.7	70.9	65.9	68.7
Accessories	59.1	40.1	42.3	49.8

Attorneys in practice more than 20 years ranked aesthetics, image, and privacy as very important to the entire law office's space by a substantial margin. Video conferencing was substantially more important for those in practice more than 30 years, while interactive open space was substantially more important for those in practice less than 10 years.

Table 28. Percentage Who Perceive Certain Office Space Needs as Important By Years as an Attorney

<u>Office Space Needs</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Aesthetics	74.3	75.7	85.6	82.5
Image	74.3	74.9	83.2	86.5
Privacy	82.9	86.4	90.6	95.0
Video Conferencing	19.7	17.7	17.1	31.1
Technology	83.8	88.3	81.7	84.4
Interactive Open Space	55.3	44.2	41.2	46.2
Natural Light	73.4	76.8	66.7	73.3
Storage	66.3	72.2	72.4	74.4

When asked to assess the importance of their personal office furniture, technology was substantially more important for those in practice less than 10 years. Ergonomics was substantially more important for those in practice less than 20 years while image was substantially less important.

Table 29. Percentage Who Perceive Certain Qualities of Personal Office Furniture as Important By Years as an Attorney

<u>Personal Office Furniture</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Aesthetics	71.7	74.0	77.2	75.0
Image	67.0	62.4	73.7	74.5
Price	63.5	66.6	66.6	63.6
Functionality	85.9	94.8	95.4	91.5
Availability	79.2	75.6	75.8	76.3
Ergonomics	85.8	82.3	73.4	75.2
Technology	84.1	73.3	76.5	71.5

Although more than 50% of all respondents indicated the office environment, their own office space, and their own office furnishings were very adequate, those in practice less than 10 years indicated far less satisfaction than those in practice more than 20 years.

Table 30. Percentage Who Find Office Space Adequate By Years as an Attorney

<u>General Office Space</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Technology	48.6	73.1	77.4	80.2
Client Comfort	57.6	78.0	82.4	86.1
Staff Comfort	52.9	78.6	86.2	90.5
Team Interaction	60.2	68.2	63.3	78.2
Client Interaction	64.2	76.3	78.6	84.8
Legal Research	66.7	70.8	70.8	80.5

Table 31. Percentage Who Find Personal Work Space Adequate By Years as an Attorney

<u>Personal Work Space</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Technology	73.2	73.4	73.1	72.2
Client Comfort	50.9	72.7	81.7	83.8
Staff Comfort	59.5	84.1	91.3	88.6
Team Interaction	57.2	70.2	75.6	74.0
Client Interaction	56.7	72.2	80.7	79.3
Legal Research	62.2	64.6	60.9	68.7

Table 32. Percentage Who Perceive Certain Aspects of Personal Work Space Furnishings are Adequate By Years as an Attorney

<u>Personal Work Space Furnishings</u>	Years as an Attorney			
	0 to 10	11 to 20	21 to 30	31+
Technology	68.9	70.9	71.6	71.8
Client Comfort	44.8	72.6	81.6	82.0
Staff Comfort	56.3	80.1	87.2	86.9
Team Interaction	55.7	67.7	76.2	72.8
Client Interaction	49.0	73.6	81.0	72.5
Legal Research	61.7	64.6	62.6	65.2

2. Size of Law Firm

It was no surprise that persons in firms of five or fewer attorneys were substantially more involved in the design of the work environment. While all attorneys were involved to a larger extent in design of personal workspace and in the selection of furnishings of personal space the attorneys in small firms had substantially more control over their environment.

Table 33. Percentage Involved in Decisions Concerning the Design of the Work Environment By Size of Firm

<u>Office Environ- ment</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Design of Entire Law Office	72.8	64.9	48.2	44.9	25.2	19.0	14.1
Design of Personal Work Space	87.0	80.8	71.1	73.9	63.8	59.7	59.0
Furnishing Selection of Entire Office	79.0	64.8	39.0	39.3	21.0	16.2	9.7
Furnishing Selection of Personal Space	94.0	79.7	70.4	75.9	62.7	64.3	69.5

When asked to assess the importance of a number of factors in regard to office space needs, general work environment and personal office furniture attorneys in firms of 50 or more people generally ranked the factors as more important than those attorneys in smaller firms. The results were mixed for respondents in firms of less than 50 people.

Table 34. Percentage Who Perceive Certain Aspects of the General Work Environment As Important By Size of Firm

<u>General Work Environment</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Reception Area Furnishings	65.4	74.8	80.4	86.1	87.9	97.2	84.9
Conference Furnishings	66.0	80.5	87.0	91.0	89.7	100.0	87.6
General Filing	62.0	67.9	70.8	69.2	63.6	82.0	72.4
Personal Desk	83.0	80.1	77.6	79.5	70.5	83.1	81.7
Personal Chair	82.4	79.2	80.4	83.3	75.5	88.7	84.2
Personal Filing	70.3	69.4	68.9	72.1	71.1	78.9	74.2
Technology	79.8	82.9	85.1	84.3	90.8	94.4	95.4
Natural Light	81.8	69.9	84.1	76.0	81.6	83.1	84.8
Storage	70.4	68.2	70.1	67.6	60.6	71.9	69.3
Accessories	45.5	46.2	47.6	41.0	39.4	61.9	42.9

Table 35. Percentage Who Perceive Certain Office Space Needs As Important By Size of Firm

<u>Office Space Needs</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Aesthetics	70.8	73.8	82.1	84.6	84.8	91.7	88.6
Image	63.5	77.3	82.2	88.1	84.7	91.6	85.9
Privacy	89.0	85.0	93.5	96.2	87.8	98.6	88.5
Video Conferencing	7.1	14.1	16.9	17.9	26.3	35.7	35.1
Technology	73.7	79.9	83.2	88.4	86.6	94.3	93.2
Interactive Open Space	31.3	43.1	44.3	42.4	50.0	47.8	54.6
Natural Light	76.3	66.2	77.3	67.1	71.7	73.3	76.6
Storage	70.2	71.4	77.6	78.2	60.2	81.7	72.0

Table 36. Percentage Who Perceive Certain Qualities of Personal Office Furniture As Important By Size of Firm

<u>Personal Office Fur- niture</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Aesthetics	67.7	68.7	77.5	76.3	76.3	89.8	81.2
Image	59.6	67.8	77.5	65.3	70.4	80.0	73.8
Price	67.4	67.1	60.7	67.1	68.8	62.8	63.4
Functional- ity	93.0	94.0	92.5	91.0	92.7	95.8	93.5
Availability	75.0	76.8	73.1	79.0	76.8	76.8	75.2
Ergonomics	75.8	74.1	80.2	78.0	79.2	81.1	82.0
Technology	68.4	69.8	78.6	71.5	85.4	86.8	79.8

Those person in firms of more than 50 attorneys indicated in nearly all categories that their office, own space and own furniture was adequate by a substantial margin. Those people in firms of less than fifty persons showed less satisfaction in most categories, but a consistent pattern did not emerge except in the areas of technology and legal research where the respondents from very small firms indicated less satisfaction.

Table 37. Percentage Who Find Office Space Adequate By Size of Firm

<u>General Office Space</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Technology	63.9	66.0	67.6	74.6	75.0	87.6	86.2
Client Comfort	72.9	75.6	68.5	78.8	84.2	90.7	87.6
Staff Comfort	82.0	79.8	68.8	76.3	78.4	94.5	90.2
Team Interac- tion	67.1	68.4	63.9	63.2	68.0	73.0	68.2
Client Interac- tion	78.3	73.0	76.5	75.7	80.2	84.8	82.2
Legal Research	52.6	68.3	64.0	75.9	76.3	93.1	86.1

Table 38. Percentage Who Find Personal Work Space Adequate By Size of Firm

<u>Personal Work Space</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Technology	59.6	65.0	65.7	67.5	83.4	91.8	88.0
Client Comfort	73.2	77.3	70.7	73.4	72.2	79.7	83.8
Staff Comfort	83.3	84.0	81.5	83.9	83.2	89.0	89.7
Team Interaction	64.7	73.0	65.7	71.9	69.3	71.6	78.4
Client Interaction	77.6	73.5	74.8	73.1	68.7	73.9	81.6
Legal Research	57.7	57.4	63.8	62.9	66.3	71.2	74.5

Table 39. Percentage Who Perceive Certain Aspects of Personal Work Space Furnishings are Adequate By Size of Firm

<u>Personal Work Space Furnishings</u>	Size of Firm						
	Solo	2 to 5	6 to 10	11 to 20	21 to 50	51 to 100	100+
Technology	60.2	64.7	63.0	66.3	79.2	92.8	83.5
Client Comfort	69.8	72.7	70.8	71.5	72.0	82.8	84.6
Staff Comfort	79.0	80.9	76.8	77.2	80.9	87.3	88.1
Team Interaction	66.3	72.7	63.9	69.8	66.6	78.9	75.8
Client Interaction	75.1	72.9	71.0	69.7	65.7	78.6	79.1
Legal Research	59.1	59.3	58.3	60.0	68.0	78.9	70.7

3. *Geographic Location*

Attorneys practicing in Minneapolis/St. Paul were less involved in the design and furnishing of their work environment. Generally, those person practicing in outstate Minnesota were substantially more involved in their work environment.

Table 40. Percentage Involved in Decisions Concerning the Design of the Work Environment By Geographic Area

<u>Office Environ- ment</u>	Geographic Area				
	Mpls/St Pl	Subs	Dlth/Ro ch	20K+	20K-
Design of Entire Law Office	32.6	51.3	45.5	64.3	65.2
Design of Personal Work Space	67.2	76.0	75.4	74.4	79.7
Furnishing Selection of Entire Office	29.9	58.6	40.3	57.1	69.1
Furnishing Selection of Personal Space	69.3	74.6	80.8	83.5	83.2

There was little variation in the assessment of importance of general work environment, office space needs and personal office furniture. However, those lawyers working in Minneapolis/St. Paul and Rochester/Duluth ranked factors dealing with general work environment higher than attorneys working elsewhere. Lawyers working in Minneapolis/St. Paul and the suburbs also ranked technology as more important than all other attorneys. Lawyers working in outstate Minnesota generally ranked all factors of less importance than all other lawyers.

Table 41. Percentage Who Perceive Certain Aspects of the General Work Environment Are Important By Geographic Area

<u>General Work Environment</u>	<u>Geographic Area</u>				
	<u>Mpls/St Pl</u>	<u>Subs</u>	<u>Dlth/Ro ch</u>	<u>20K+</u>	<u>20K-</u>
Reception Area Furnishings	83.1	77.3	85.4	74.4	75.4
Conference Furnishings	85.8	84.2	89.3	82.2	80.7
General Filing	69.1	64.2	76.4	70.6	71.0
Personal Desk	80.0	78.6	83.4	77.7	78.8
Personal Chair	82.8	80.7	83.9	74.7	80.5
Personal Filing	72.7	71.4	79.6	68.2	66.7
Technology	89.5	86.1	80.3	83.5	83.0
Natural Light	82.1	82.7	85.4	68.3	65.7
Storage	67.4	67.1	67.3	68.2	74.3
Accessories	44.6	46.4	50.9	43.6	49.5

Table 42. Percentage Who Perceive Certain Office Space Needs as Important By Geographic Area

<u>Office Space Needs</u>	<u>Geographic Area</u>				
	<u>Mpls/St Pl</u>	<u>Subs</u>	<u>Dlth/Ro ch</u>	<u>20K+</u>	<u>20K-</u>
Aesthetics	84.6	73.6	87.3	77.1	78.1
Image	82.3	78.3	83.9	78.6	79.0
Privacy	88.8	90.0	92.9	90.4	90.2
Video Conferencing	23.8	16.1	26.8	15.8	19.6
Technology	88.7	82.2	76.4	79.7	79.6
Interactive Open Space	45.5	42.2	42.9	50.6	45.6
Natural Light	74.4	76.5	75.0	65.1	59.8
Storage	70.4	71.0	71.5	77.4	75.5

Table 43. Percentage Who Perceive Certain Qualities of Personal Office Furniture as Important By Geographic Area

<u>Personal Office Furniture</u>	<u>Geographic Area</u>				
	<u>Mpls/St Pl</u>	<u>Subs</u>	<u>Dlth/Ro ch</u>	<u>20K+</u>	<u>20K-</u>
Aesthetics	79.3	73.5	83.6	59.7	69.4
Image	71.8	68.7	83.3	61.1	68.8
Price	67.8	64.7	62.4	54.8	68.1
Functionality	93.0	92.6	98.2	96.4	90.3
Availability	75.5	79.1	76.9	80.5	71.1
Ergonomics	79.5	76.0	78.5	75.0	74.1
Technology	77.7	77.8	67.9	67.1	75.3

Attorneys practicing in the suburbs of Minneapolis and St. Paul indicated there was a less adequate environment than other attorneys in most categories under general work environment and office space needs. Those practicing in Minneapolis/St. Paul said technology was more adequate than other categories while those attorneys outstate in towns of more than 20,000 indicated the legal research environment was more adequate than other practitioners. In most areas there was no substantial difference among practitioners in their assessment of adequacy of the work environment.

Table 44. Percentage Who Find Office Space Adequate By Geographic Area

<u>General Office Space</u>	<u>Geographic Area</u>				
	<u>Mpls/St Pl</u>	<u>Subs</u>	<u>Dlth/Ro ch</u>	<u>20K+</u>	<u>20K-</u>
Technology	77.1	71.0	64.9	72.3	67.3
Client Comfort	80.0	71.9	82.4	82.5	80.4
Staff Comfort	84.3	75.1	74.1	85.0	77.9
Team Interaction	67.0	67.4	64.3	68.5	70.3
Client Interaction	76.3	75.4	80.4	85.0	77.4
Legal Research	77.2	68.6	69.6	79.0	59.3

Table 45. Percentage Who Find Personal Work Space Adequate By Geographic Area

<u>Personal Work Space</u>	<u>Geographic Area</u>				
	<u>Mpls/StPl</u>	<u>Subs</u>	<u>Dlth/Roch</u>	<u>20K+</u>	<u>20K-</u>
Technology	77.1	70.4	75.1	62.8	67.5
Client Comfort	76.7	67.5	76.8	79.0	81.9
Staff Comfort	84.3	79.2	84.2	88.7	91.8
Team Interaction	71.6	65.7	74.5	70.0	77.1
Client Interaction	74.3	69.3	79.6	81.7	79.1
Legal Research	65.5	59.6	64.9	72.1	57.2

Table 46. Percentage Who Perceive Certain Aspects of Personal Work Space Furnishings are Adequate By Geographic Area

<u>Personal Work Space Furnishings</u>	<u>Geographic Area</u>				
	<u>Mpls/StPl</u>	<u>Subs</u>	<u>Dlth/Roch</u>	<u>20K+</u>	<u>20K-</u>
Technology	76.6	66.5	73.2	64.4	61.4
Client Comfort	77.0	62.9	84.2	77.3	75.9
Staff Comfort	81.0	75.5	89.2	84.9	85.8
Team Interaction	70.8	64.9	71.5	76.5	74.3
Client Interaction	72.7	67.3	77.8	82.1	72.0
Legal Research	66.1	61.1	64.3	70.5	53.5

D. Research And Technology

Other areas of the 1997-98 Survey of Minnesota Attorneys allowed us to analyze various aspects of research methods and knowledge of available technology among the different sizes and locations of law firms throughout Minnesota. The following table illustrates attorneys' perceived knowledge about research resources such as print materials, Westlaw, Lexis, CD-ROMs, and internet research. Respondents were asked how knowledgeable they perceived themselves to be in each of the areas, on a scale of 1 to 7. Answers ranging between 5 and 7 were interpreted as "knowledgeable." These results are displayed below.

Table 47. Percentage Who Report Knowledge of Research Resources By Size of Firm

<u>Resource</u>	Size of Firm						
	Solo	2-5	6-10	11-20	21-50	51-100	100+
Print Materials	88.3	90.4	90.7	90.8	89.1	74.6	84.1
Westlaw	16.9	25.7	37.7	21.8	32.7	23.8	19.4
Lexis	10.9	4.7	11.3	10.2	12.7	9.1	14.9
CD-ROM	26.0	33.7	36.8	30.8	36.5	29.3	18.1
Internet	25.8	24.8	26.1	27.6	32.7	38.2	22.4

Additionally, we surveyed respondents to determine how many hours attorneys spent each week conducting legal research. The overwhelming majority, regardless of firm size, stated that they conducted between one and five hours of legal research each week.

Table 48. Percentage Who Reported 1-5 Research Hours per Week By Size of Firm

<u>Resource</u>	Size of Firm						
	Solo	2-5	6-10	11-20	21-50	51-100	100+
1-5 hours per week	76.0	73.9	79.9	78.4	72.1	78.8	72.4

Respondents were also asked questions pertaining to their use of computer software. Several types of computer software were listed, and respondents were asked whether or not their firms utilized the software programs for the various tasks.

Table 49. Percentage Who Use of Computer Software By Size of Firm

<u>Type of Com- puter Software</u>	Size of Firm						
	Solo	2-5	6-10	11- 20	21- 50	51- 100	100+
Word process- ing	88.5	93.3	91.7	85.0	87.4	85.5	81.5
Spreadsheets	36.5	37.1	44.4	48.8	39.8	34.7	34.6
Databases	30.8	31.7	40.7	43.8	40.8	47.4	43.8
Billing	53.8	67.5	66.1	76.3	71.8	60.0	53.7
Case Manage- ment	20.2	35.8	30.3	41.8	47.1	28.9	27.8
Document As- sembly	41.3	42.9	41.7	38.8	49.5	36.0	36.6

E. Future Expectations

In the 1997-98 Survey of Minnesota Attorneys, we also asked respondents to express their view on the future of their respective law firms. Variables such as firm size, geographic location, size of support staff, and even office furnishings were considered in order to assess potential differences among Minnesota law firms.

The results of these questions were surprisingly uniform, regardless of which variable we studied. Larger firms expected their number of attorneys to increase over the next five years, with their support staff growing at a similar rate. Smaller firms expected their size to stay the same and to retain their current number of support staff employees. Almost all firms felt that their current office space was adequate. Additionally, regardless of size or location, all respondents indicated their firms made major purchases of office furniture within the last several years, and expected such furnishings to be adequate for use into the future. There were no glaring inconsistencies or anomalies among these questions and variables. Responses showed that most firms will continue with the growth trend they are already experiencing, or remain in the same professional situation to which they have already become accustomed.

IV. CONCLUSION

The results of the survey indicate that, although attorneys perceive themselves to be better prepared today than they were in the past, there are many skills attorneys perceive to be important for which they did not feel well-prepared after graduating from law school. The predominant source of training for most of the skills is the attorney's own experience, observing other lawyers, law-related work while in law school and advice from other lawyers. These sources of training are strikingly similar to the apprenticeship system that the three-year law school system was intended to replace. This survey confirmed the dissatisfaction that prompted the MacCrate Report. Law schools do not do an adequate job in training lawyers in the majority of legal practice and management skills that lawyers believe are important to their practice of law. Law schools are doing a disservice to clients and the lawyers who represent them by failing to train graduates adequately in these legal practice and management skills.

The Bar has long recognized that legal training should occur throughout a lawyer's career, but our results suggest that lawyers do not receive the directed on-going training they need to practice and manage effectively. Attorneys in small practices and in smaller communities indicate they have the most control over the design and management of their personal and general office space and furnishings. These same attorneys, however, indicate the highest degree of dissatisfaction with that work environment. Persons in firms of ten or less and who practice in smaller communities also indicate the greatest level of emotional distress. More than one-third of graduates go into practice in firms of ten or less. Younger attorneys are the most likely to be dissatisfied with the practice of law and although they stay for a number of years, the highest number (aside from those attorneys who are retiring) of those who leave the practice are those who have invested ten years in the practice. The skills that are not being taught are the skills that are necessary to make an office run effectively. These skills would reduce stress and increase efficiency and productivity. Law schools should provide more training in these critical skills to this substantial group of students and attorneys.

Massive or global curricular changes are not necessary to effect a positive change in training. Incremental changes can be made

and can be part of a long-range plan (five years) that will permit budgeting and staffing adjustments.⁹³ Each law school can examine the MacCrate legal practice skill areas and the management skill areas to determine whether certain skill should be targeted for additional training.

Each legal practice and management skill need not be taught in isolation. These skills can be taught effectively in conjunction with substantive areas. A Practicum methodology could be utilized to teach those legal practice skills and those management skills in conjunction with advanced substantive subject areas. Our results indicated that structured simulations could raise the perception that law school provides a meaningful source of training in legal and practice management skills and provide a high degree of satisfaction. Women in particular seem to benefit from simulations.

Professionals from other disciplines, from the ranks of experienced lawyers and judges and other educational institutions such as accounting, management, science, and medicine can provide resources that are not a part of the traditional law school faculty. Law schools can partner with other professions and educational institutions such as medicine and business schools. Cross appointments and academic and business partnerships will permit both law schools and other institutions to expand their educational capabilities. Traditional teaching methods need not be abandoned. All educational resources should be utilized. This includes the traditional classroom, structured simulations, the Socratic method, learning-by-doing, practicums, clinics, small group study and distance learning. Full time practitioners and judges along with other professionals should teach as adjuncts in closely supervised educational endeavors such as practicums. They need not be asked to teach traditional classroom subjects by themselves. The experience of practice should be brought in not through lectures but through hands-on, small group learning-by-doing simulations that permit the practitioner to demonstrate model, critique and advise. The use of full-time, non-tenured contract teachers and more effective

93. Assuming that one full-time faculty member costs \$100,000 per year, the average class size is 24 students, the average faculty load is six credits and disregarding support and administrative costs, the traditional classroom credit costs \$348 each while the Legal Practicum credit costs \$194 each. *See Cost Comparisons* (on file with author). The savings come from reduced costs for adjuncts, judges, lawyers, role players, experts and jurors who are willing to work part-time to train students.

management of resources can increase educational capability and even reduce costs. The cost of legal education is high and students should receive greater value for the money spent.

Law schools should be a life-long center for advanced learning for the student, lawyer judges, legal administrators and all other professions that use law. The physical facilities of law schools including library and technology should be utilized to a larger extent. Law students and lawyers should perceive the law school as their educational base throughout their careers.

V. APPENDIX A

In 1997 we organized a team of people who helped us develop the survey.⁹⁴ To assure that the survey would provide accurate information and give us the capability to measure our performance, we consulted with the University of Minnesota Center for Survey Research.⁹⁵ Pamela Schomaker, Ph.D., researcher at the University of Minnesota Center for Survey Research⁹⁶ worked with us to develop the survey questions and designed the survey methodology.

A second similar survey was conducted in 1999 that targeted only those attorneys in practice ten years or less. Information contained in 726 responses from Minnesota attorneys in practice ten years or less was used for this analysis. The larger random sample of the 1999 survey allowed for a more precise evaluation of perceptions of those attorneys in practice ten years or less. The second survey contained identical questions regarding attorneys' perceptions of the importance of seventeen legal practice skills, how prepared the attorneys perceived themselves to be in the legal practice skills immediately after law school, and where the attorneys perceive they acquired these legal practice skills.

94. Sharry Cooper, Dick Wagner, Roz Vannelli, Lynn Hirschey, Barb Prindle, Diane Sullivan, John O'Neill, Imad Ahmed, Peter Rother and Resa Gilats

95. Minnesota Center for Survey Research is a subunit within the Center for Urban and Regional Affairs (CURA), which is affiliated with the University of Minnesota.

96. Ph.D., 1987, University of Minnesota; M.S., 1980, Indiana State University; B.S., 1975, Springfield College; Manager/Research Fellow, Minnesota Center for Survey Research.

A. *Methodology*

1. *Questionnaire Design*

John Sonsteng, Professor at William Mitchell College of Law, developed the initial draft of the Survey of Practicing Attorneys. Pamela Schomaker, Ph. D., researcher at the University of Minnesota Center for Survey Research reviewed the instrument and made suggestions for changes. Following survey revisions, a pretest was conducted with a sample of thirty-five Minnesota attorneys. At the conclusion of the pretest, additional revisions were made to the questionnaire. Because only insignificant changes were made, the pretest results were included in the final data.

In addition to questions about practice area, importance of selected legal skills and management issues, how prepared attorneys were to practice these legal skills, and where legal and management skills were acquired, the survey addressed issues such as job satisfaction, training, firm growth, and job environment.

The questionnaire used for the 1999 Survey of Minnesota Attorneys was a shortened version of the instrument developed for the 1998 survey of attorneys. The 1999 survey included questions about the importance of selected legal skills and management issues, how well prepared attorneys feel they are for these legal skills and management issues, where legal and management skills were acquired, and opinions about other aspects of their work as attorneys.

2. *Sampling Design*

In the first survey, questionnaires were sent to a random sample of 1,397 Minnesota attorneys who were included in the database maintained by the Minnesota State Bar Association. An additional 380 surveys were sent to practicing lawyers who had taken the Legal Practicum course at William Mitchell College of Law.⁹⁷ Of these surveys, 154 (40%) were completed.

Because we wanted to conduct comparisons among subgroups of attorneys based on practice size, and to ensure a sufficient number of attorneys were included in the sample outside metropolitan Ramsey (St. Paul) county and Hennepin (Minneapolis) county, a stratified random sample was drawn from the Minnesota State Bar

97. See Sonsteng, *supra* note 54.

Association database. The survey groups and the number of attorneys sampled for each group are shown in the following table.

Table 50. Attorneys Selected from the MSBA Database

<u>Practice Size</u>	Ramsey/ Hennepin County	Other Areas of Minnesota	Total Num- ber of Sur- veys Sent
Solo	100	100	200
2-5 Attorneys	100	100	200
6-10 Attorneys	100	100	200
11-20 Attorneys	100	100	200
21-50 Attorneys	100	99*	199
51-100 Attorneys	193	5*	198
Over 100 Attorneys	188	12*	200
TOTAL	881	516	1397

**Because a small number of attorneys were included in the database for these subgroups, all attorneys from these groups were selected for the sample.*

In the second survey, questionnaires were sent to a random sample of 1,500 Minnesota attorneys identified as having been in practice for ten years or less. Staff at Minnesota Center for Survey Research selected the random sample from a list of attorneys provided by the Minnesota State Bar Association.

3. Data Collection Procedures

The procedures used for both surveys are based on *Mail and Telephone Surveys*, by Priscilla Salant and Don A. Dillman.⁹⁸ Data collection for the first survey was conducted from October 17, 1997 to August 12, 1998. Data collection for the 1999 follow-up survey was conducted from August 10, 1999 to September 30, 1999.

4. Mailing Procedures

The first mailing of the 1997-98 survey was sent to the pretest sample on October 17, 1997 and to the main sample on May 4, 1998 and included the following: (1) a cover letter from William

98. PRISCILLA SALANT & DON A. DILLMAN, *HOW TO CONDUCT YOUR OWN SURVEY* (1994).

Mitchell College of Law President and Dean Harry Haynsworth inviting participation in the survey, (2) a survey instrument,⁹⁹ and (3) a self-addressed, stamped return envelope.

The second mailing consisted of a reminder postcard from Professor Sonsteng, which was sent to the pretest group on October 30, 1997 and to the main study group on May 19, 1998. The postcard was mailed to all study participants and thanked individuals if they had already filled out the survey, and asked them to take time to complete the survey if they had not already done so.

On November 17, 1997, a third mailing was sent to all pretest nonrespondents and on June 9, 1998 to the entire main study group who had not returned their survey. This mailing was similar to the first mailing and included a copy of the survey, a reminder cover letter, and a self addressed, stamped return envelope.

The survey procedure for the follow-up survey 1999 was similar to the earlier survey. The first mailing was sent to the main sample on August 10, 1999 and included the following: (1) a cover letter from William Mitchell College of Law President and Dean Harry Haynsworth inviting participation in the survey, (2) a survey instrument,¹⁰⁰ and (3) a self-addressed, stamped return envelope.

The second mailing consisted of a reminder postcard from Professor Sonsteng, which was sent to the study group on August 20, 1999. The postcard was mailed to all study participants and thanked individuals if they had already filled out the survey, and asked them to take time to complete the survey if they had not already done so.

On September 9, 1999 a third mailing was sent to all individuals who had not returned their survey. This mailing was similar to the first mailing and included a copy of the survey, a reminder cover letter, and a self addressed, stamped return envelope.

5. Supervision and Quality Control of the Mailings

The three mailings for both surveys were completed under the supervision of Professor Sonsteng. Quality checks were made prior to sealing the envelopes to ensure that the survey packets were complete and that the address labels and survey identification numbers matched.

99. See *infra* Appendix B.

100. See *infra* Appendix C.

B. Management of the Data

1. Editing and Coding

Editing and coding were completed by the Minnesota Center for Survey Research staff and included three major tasks. First, all surveys were checked for response clarity to eliminate dual responses when single-answer responses were sought, or to create a separate category for dual responses. Second, the coder/editor recorded responses to “other-specify” questions. Third, responses to open-ended questions were reviewed, response categories created, and value labels assigned.

Survey coding was completed by two Minnesota Center for Survey Research coders/editors who attended a training session to familiarize them with the survey instrument. Unclear or ambiguous responses were directed to Dr. Schomaker for resolution. In addition, Dr. Schomaker conducted quality control and reviewed coded/edited surveys throughout this phase.

2. Data Entry and Cleaning

After coding was completed, the questionnaires were key entered onto a data diskette by a commercial data entry firm and a computer data file was prepared. Once the complete file of the questionnaire responses was constructed, it was examined systematically to remove data entry errors. Data cleaning involved the use of a computer program to evaluate each case for variables with out-of-range values. In addition, the file was examined manually to identify cases with paradoxical or inappropriate responses.

3. Data File Weighting

Because a stratified sample of Minnesota State Bar Association attorneys was selected in the 1997-98 survey, the final data file was weighted based on the distribution of attorneys according to practice size. In addition, the weighting factors were calculated based on the 884 surveys that were completed, since this was the sample that was stratified. However, because results from the Practicum student for Q2 were also different from population percents, the entire data file (N = 1,038) was weighted using these factors. Because of the weighting, the total number of attorneys for most questions is more than 1,038.

Data file weighing adjusts each respondent's representation in

the sample according to the percent of attorneys in the practice size subgroup, thus downweighting respondents on smaller subgroups and upweighting those in larger subgroups. The data was not weighted based on geographic area because a question was not included in the survey to determine county of practice. However, results from Q4 show that approximately three-quarters of the respondents practice in the Twin Cities Metro area, which is comparable to the actual percent of attorneys practicing in that geographic area. The number of surveys and the percents on which the weighting factors are based are shown in the following table.

Table 51. Number and Percentage of Surveys Completed By Practice Size Subgroups

<u>Practice Size</u>	Number of Completed Surveys From MSBA Attorneys	Percent	Percent in Population
Solo	160	18.10	11.35
2-5 Attorneys	156	17.65	27.51
6-10 Attorneys	109	12.33	12.61
11-20 Attorneys	122	13.80	9.43
21-50 Attorneys	119	13.46	11.66
51-100 Attorneys	55	6.22	8.55
Over 100 Attorneys	163	18.44	18.89
TOTAL	884	100.00	100.00

The weighting factors for each subgroup was calculated based on the following computation:

$$\text{Weighting Factor} = \frac{\text{Total \# of completed surveys x \% in population}}{\text{\# of completed surveys for subgroup}}$$

For example, for subgroup 1 (solo practice), the weighing factor is computed as follows:

$$0.625 = \frac{884 \times .1135}{160}$$

Data weighting was not necessary for the 1999 follow-up survey,

as the responses were not based on differing practice sizes.

4. *Completion Status—1997-98 Survey*

Questionnaires from the 1997-98 survey were completed and returned by 1,038 of the Minnesota attorneys in the sample. A total of 6 people refused to participate, 721 surveys were not returned, and the remaining 12 were eliminated from the sample for the reasons listed below in Table 52. The overall response rate for the survey was 58.4%.

Table 52. Final Status of the Survey of 1997-1998 Practicing Attorneys in Minnesota

<u>Status</u>	<u>Number</u>	<u>Percentage</u>
Completed survey	1,038	58.4
Refusal	6	0.3
Survey not returned	721	40.6
<u>Eliminated</u>		
Nondeliverable mail	5	0.3
Not a practicing attorney in Minnesota	7	0.4
TOTAL	1,777	100.0

$$\text{RESPONSE RATE} = \frac{\text{Completed Questionnaires}}{\text{Total sent} - \text{eliminated}} = 58.4\%$$

In terms of sampling error, a return of 1,038 surveys is accurate at +/- 2.8% at the 95% confidence level.

5. *Completion Status—1999 Survey*

For the 1999 survey, questionnaires were completed and returned by 771 of the Minnesota attorneys in the sample. Fourteen surveys were subsequently eliminated, however, because the respondents indicated on their survey that they had been in practice more than ten years.

Therefore, the total number of useable surveys returned was 757.¹⁰¹ A total of four people refused to participate, 708 surveys

101. Although 757 usable surveys were returned, we used the data from only

were not returned, and the remaining seventeen were eliminated from the sample for the reasons listed below in Table 53. The overall response rate for the survey was 51.4%.

Table 53. Final Status of the Survey of 1999 Practicing Attorneys in Minnesota

<u>Status</u>	<u>Number</u>	<u>Percentage</u>
Completed survey	771	51.4
Refusal	4	0.3
Survey not returned	708	47.2
<u>Eliminated</u>		
Nondeliverable mail	3	0.2
Not a practicing attorney in Minnesota	14	0.9
TOTAL	1500	100.0

$$\text{RESPONSE RATE} = \frac{\text{Completed Questionnaires}}{\text{Total Sent} - \text{Eliminated}} = 51.4\%$$

In terms of sampling error, a return of 771 surveys is accurate at + - 3.5% at the 95% confidence level.

Since the material to be analyzed did not involve legal education issues, it was determined that the results for those who had participated in the Legal Practicum course could be included in the overall sample without having any effect on the results.

The surveyed sample of Minnesota practicing attorneys includes 833 males (82%), and 182 females (18%). Thirteen percent were in solo practice, 30% in firms with two to five lawyers, 12% in firms of six to ten lawyers, 9% in firms with eleven to twenty lawyers, 11% in firms of twenty-one to fifty lawyers, 8% in firms with fifty-one to one hundred lawyers, and 18% in firms with more than one hundred lawyers. Fifty-one percent of respondents described their practice setting as Minneapolis-St. Paul, 18% described it as the surrounding suburbs of Minneapolis-St. Paul, 6% as out-state-Duluth or Rochester, 10% as out-state-population of 20,000 or

726 of those surveys. Since 31 surveys did not contain information pertaining to where respondents had attended law school, those surveys were subsequently eliminated from the study.

more, and 7% as out-state-population between 0 and 19,999. One percent of respondents practiced outside of Minnesota.

VI. APPENDIX B

William Mitchell College of Law SURVEY OF PRACTICING ATTORNEYS IN MINNESOTA

1. In which type of practice do you primarily work? (*circle one*)

1. Private Practice
2. Corporate Practice
3. Government Practice
4. Other (please specify)

2. How many attorneys are in your firm, corporate law department, or governmental agency? (*circle one*)

- | | |
|------------------|------------------|
| 1. Solo Practice | 5. 21-50 |
| 2. 2-5 | 6. 51-100 |
| 3. 6-1 | 7. More than 100 |
| 4. 11-20 | |

3. How many people make up your LEGAL SUPPORT STAFF? (*circle one*)

- | | |
|------------------|------------------|
| 1. Solo Practice | 5. 21-50 |
| 2. 2-5 | 6. 51-100 |
| 3. 6-1 | 7. More than 100 |
| 4. 11-20 | |

4. What percentage of your practice is devoted to the following topical areas? (*write % in space*)

- | | |
|------------------------|------------------------------------|
| ___ Administrative Law | ___ Art and Entertainment Law |
| ___ Antitrust Law | ___ Business/Commercial Law |
| ___ Bankruptcy Law | ___ Civil Litigation |
| ___ Child Law | ___ Criminal Litigation |
| ___ Communications Law | ___ Computer Law |
| ___ Construction Law | ___ Alternative Dispute Resolution |
| ___ Criminal Law | ___ Elder Law |
| ___ Employee Benefits | ___ Environmental Law |

- | | |
|--|---|
| <input type="checkbox"/> Family Law | <input type="checkbox"/> Food & Drug Law |
| <input type="checkbox"/> Health Law | <input type="checkbox"/> Immigration Law |
| <input type="checkbox"/> Intellectual Property Law | <input type="checkbox"/> International Business Law |
| <input type="checkbox"/> Labor & Employment Law | <input type="checkbox"/> Probate & Trust Law |
| <input type="checkbox"/> Public Law | <input type="checkbox"/> Real Property Law |
| <input type="checkbox"/> Tax Law | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> Agricultural Law | |

5. Which of the following geographical areas best describes your practice setting? (*circle one*)

1. Minneapolis-Saint Paul
2. Surrounding Suburbs of Mpls/St. Paul
3. Outstate—Duluth or Rochester
4. Outstate—30,000+, not 1., 2., or 3.
5. Outstate—Population Between 20,000 – 30,000
6. Outstate—Population Between 10,000 – 19,999
7. Outstate—Population Between 0 and 9,999

6. The following is a partial inventory of legal skills. On a scale of 1 to 7, with “1” being “not at all important” and “7” being “very highly important,” how would you rate the importance of each of the listed legal skills? (circle one response for each item)

- a. Ability to diagnose and plan solutions for legal problems
- b. Ability in legal analysis and legal reasoning
- c. Drafting legal documents
- d. Knowledge of the substantive law
- e. Library legal research
- f. Computer legal research
- g. Fact gathering
- h. Oral communication
- i. Written communication
- j. Counseling
- k. Instilling others' confidence in you
- l. Negotiation
- m. Knowledge of procedural law
- n. Understanding and conducting litigation
- o. Organization and management of legal work
- p. Ability to obtain and keep clients
- q. Sensitivity to professional ethical concerns

7. How well prepared were you in the following skills immediately after law school? (circle one response for each item) Answers on a 1 to 7 scale with “1” being “not at all prepared,” and “7” being “very well prepared.”

- a. Ability to diagnose and plan solutions for legal problems
- b. Ability in legal analysis and legal reasoning
- c. Drafting legal documents
- d. Knowledge of the substantive law
- e. Library legal research
- f. Computer legal research
- g. Fact gathering
- h. Oral communication
- i. Written communication
- j. Counseling
- k. Instilling others' confidence in you
- l. Negotiation
- m. Knowledge of procedural law

- n. Understanding and conducting litigation
- o. Organization and management of legal work
- p. Ability to obtain and keep clients
- q. Sensitivity to professional ethical concerns

8. Do you believe the following skills can be learned in law school? (*circle one response for each item*) Choice of answers is "yes" or "no."

- a. Ability to diagnose and plan solutions for legal problems
- b. Ability in legal analysis and legal reasoning
- c. Drafting legal documents
- d. Knowledge of the substantive law
- e. Library legal research
- f. Computer legal research
- g. Fact gathering
- h. Oral communication
- i. Written communication
- j. Counseling
- k. Instilling others' confidence in you
- l. Negotiation
- m. Knowledge of procedural law
- n. Understanding and conducting litigation
- o. Organization and management of legal work
- p. Ability to obtain and keep clients
- q. Sensitivity to professional ethical concerns
- r. Trial practice

9. For each of the following skills, please write up to three sources where you acquired the skill. (*complete as many sources as appropriate*)

For example:

Source of Skill

- 1. General law school curriculum
- 2. Moot court/other competitions
- 3. Law related work experience in summers or during academic year
- 4. Your own experience
- 5. Continuing legal education courses
- 6. Training by another school
- 7. Legal practice simulations in law school

8. Law review experience
9. Client contacts through law school clinics
10. Observation of other lawyers
11. Advice from other lawyers
12. Observation of nonlawyers
13. Advice from nonlawyers
14. Training by product or service vendors
15. Other (Specify:_____)

(Write the number of each source on lines below)

A. Ability to diagnose and plan solutions for legal problems

- source _____
- source _____
- source _____

B. Ability in legal analysis and legal reasoning

- source _____
- source _____
- source _____

C. Drafting legal documents

- source _____
- source _____
- source _____

D. Knowledge of the substantive law

- source _____
- source _____
- source _____

E. Library Legal Research

- source _____
- source _____
- source _____

F. Computer Legal Research

- source _____
- source _____
- source _____

G. Fact gathering

- source _____
- source _____
- source _____

H. Oral communication

- source _____
- source _____
- source _____

I. Written communication

- source _____
- source _____
- source _____

J. Counseling

- source _____
- source _____
- source _____

K. Instilling others' confidence in you

- source _____
- source _____
- source _____

L. Negotiation

- source _____
- source _____
- source _____

M. Knowledge of procedural law

- source _____
- source _____
- source _____

N. Understanding and conducting litigation

- source _____
- source _____
- source _____

O. Organization and management of legal work

- source _____
- source _____
- source _____

P. Ability to keep and maintain clients

- source _____
- source _____
- source _____

Q. Sensitivity to professional ethical concerns

- source _____
- source _____
- source _____

10. The following is a partial list of management issues. On a scale of 1 to 7, with “1” being “not at all important” and “7” being “highly important,” how would you rate the importance to your practice of each of the listed items? (circle one response for each item)

- a. Fee arrangements, pricing, billing
- b. Human resources, hiring, support staff
- c. Capitalization, investment
- d. Project and time management, efficiency
- e. Planning, resource allocation, budgeting
- f. Marketing, client development
- g. Technology, computers, communication
- h. Governance, decision-making, long-range strategic planning
- i. Interpersonal communications, staff relations

11. Where did you acquire these management skills? (complete as many sources as appropriate)

For example:

Source of Skill

- 1. General law school curriculum
- 2. Moot court/other competitions
- 3. Law related work experience in summers or during academic year
- 4. Your own experience
- 5. Continuing legal education courses
- 6. Training by another school

7. Legal practice simulations in law school
8. Law review experience
9. Client contacts through law school clinics
10. Observation of other lawyers
11. Advice from other lawyers
12. Observation of nonlawyers
13. Advice from nonlawyers
14. Training by product or service vendors
15. Other (Specify:_____)

(write the number of each source on lines below)

A. Fee arrangements, pricing, billing

- source _____
- source _____
- source _____

B. Human resources, hiring support staff

- source _____
- source _____
- source _____

C. Capitalization, investment, budgeting

- source _____
- source _____
- source _____

D. Project and time management, efficiency

- source _____
- source _____
- source _____

E. Planning, resource allocation

- source _____
- source _____
- source _____

F. Marketing, client development

- source _____
- source _____
- source _____

G. Technology, computers, communications

- source _____
- source _____
- source _____

H. Governance, decision-making, strategic or long-range planning

- source _____
- source _____
- source _____

I. Interpersonal communications, staff relations

- source _____
- source _____
- source _____

12. What are the TOP 3 specific areas of practice management for which you have the greatest needs for information or training?

1. _____
2. _____
3. _____

13. The following is a list of topics of concern to practicing attorneys. Would you be willing to register for a course, if IMMEDIATELY APPLICABLE TO YOUR PRACTICE, in the following areas? (*circle one response for each item*) Choice of answers is "yes" or "no."

- a. Law firm strategy (including rainmaking, dealing with change, and long-range value development)
- b. Risk management (including ethics, professional liability, time, case and resource management)
- c. Firm organization (including team building, skill development, and hiring/firing decisions)
- d. External relations (including client intake, client interviewing, and sales/marketing)
- e. Starting a firm (including location, technology, staffing/space needs, and planning)
- f. Electronic legal research (including on-line services, CD-ROM, and the Internet)
- g. Other (please specify)

14. For courses immediately applicable, WHAT FORMAT WOULD BE MOST DESIRABLE TO YOU? (*circle one*)

1. A short course (approximately three hours)
2. A long course (approximately six hours)
3. A multiple session course (approximately three meetings)
4. A week long course of two/three hours a day
5. A multiple, long-weekend course (three long weekends over a course of a year)
6. Other (please specify) _____
7. None—(not interested in any)—**SKIP TO 17**

15. For those courses described in questions 13 and 14, which of the following would you most prefer? (*circle one*)

1. Early morning
2. Lunch time/Midday
3. Late afternoon
4. Evening
5. Weekends
6. Other (please specify) _____
7. None

16. For those courses described in questions 13 and 14, where would you most prefer to attend the classes? (*circle one*)

1. The Twin Cities metropolitan area
2. Large outstate cities (e.g., Rochester or Duluth)
3. Outstate central areas (e.g., county seats, local colleges)
4. On-site (e.g., firm, corporation, agency)
5. Long-distance learning through technology
6. Other (please specify) _____

17. The following is a partial list of legal research tools. On a scale of 1 to 7, with "1" being "not at all knowledgeable" and "7" being "very knowledgeable," how would you rate your knowledge of each of the listed items? (*circle one response for each item*)

- a. Print materials, reporters, indices
- b. WESTLAW
- c. LEXIS
- d. CD-ROM
- e. The Internet

18. On average, about how many hours each week do you spend doing legal research?

19. How often do you use each of the following tools? (*insert the appropriate number on the line following the tool*)

- a. Print materials, reporters, indices _____
- b. WESTLAW _____
- c. LEXIS _____
- d. CD-ROM _____
- e. The Internet _____
- f. Other (please specify) _____

- 1) Daily
- 2) Several Times a Week
- 3) Once a Week
- 4) Every 1-2 Weeks
- 5) Less than 1 Time a Month
- 6) More than 3 Times a Month
- 7) Never

20. In which of the following areas do you use computer software?
(circle all that apply)

- a. Word Processing
- b. Spreadsheets
- c. Databases/Relational Databases
- d. Time Billing
- e. Case Management
- f. Document Assembly
- g. Presentation, exhibits, trial graphics

21. Which of the following word processing programs do you use most often? (circle one)

- 1. WordPerfect for DOS
- 2. WordPerfect for Windows
- 3. Microsoft Word
- 4. Lotus Ami Pro
- 5. Other (please specify) _____
- 6. I don't use a word processing program

22. On a scale of 1 to 7, with "1" being "strongly disagree" and "7" being "strongly agree," how would you respond to the following statement? (circle one response for each item)

My firm, staff, or agency has effective ways for managing the implementation and ongoing support of technological resources.

Strongly Disagree		Strongly Agree				
1	2	3	4	5	6	7

23. Where do you have your primary office? (circle one)

- 1. I lease office space in a building
- 2. I own my own offices/building
- 3. My office is at home
- 4. My employer provides my office
- 5. Other (please specify) _____

24. On a scale of 1 to 7, with “1” being “not at all involved” and “7” being “very involved,” how involved were you in the following decisions concerning the use of office space? (circle one response for each item)

- a. The design of the entire law office
- b. The design of my personal work area
- c. The selection of furnishings for the entire law office
- d. The selection of furnishings for my personal work area

25. On a scale of 1 to 7, with “1” being “not at all adequate” and “7” being “very adequate,” how adequate would you say your ENTIRE LAW OFFICE SPACE functions in each of the following areas? (circle one response for each item)

- a. Technology
- b. Client comfort
- c. Staff/Attorney comfort
- d. Team interaction
- e. Client interaction
- f. Legal research

26. On a scale of 1 to 7, with “1” being “not at all adequate” and “7” being “very adequate,” how adequate would you say your PERSONAL WORK SPACE functions in each of the following areas? (circle one response for each item)

- a. Technology
- b. Client comfort
- c. Staff/Attorney comfort
- d. Team interaction
- e. Client interaction
- f. Legal research

27. On a scale of 1 to 7, with "1" being "not at all adequate" and "7" being "very adequate," how adequate would you say your PERSONAL WORK FURNISHINGS functions in each of the following areas? (*circle one response for each item*)

- a. Technology
- b. Client comfort
- c. Staff/Attorney comfort
- d. Team interaction
- e. Client interaction
- f. Legal research

28. Do you expect the number of attorneys in your firm, corporate law department or government agency to increase, decrease, or stay the same in the next five years? (*circle one*)

- 1. I expect it to increase
- 2. I expect it to decrease
- 3. I expect it to remain the same

29. Do you expect the number of attorneys in your firm, corporate law department or government agency to increase, decrease, or stay the same in the next five years? (*circle one*)

- 1. I expect it to increase
- 2. I expect it to decrease
- 3. I expect it to remain the same

30. For what period of time do you think your present office space will meet the office space needs of the firm, corporate law department or government agency? (*circle one*)

- | | |
|-----------------------|---------------------|
| 1. Less than one year | 4. 7 to 9 years |
| 2. 1 to 3 years | 5. 10 years or more |
| 3. 4 to 6 years | |

31. For what period of time do you think the current office furnishings (desk, chairs, tables, files, etc.) will meet the needs of the firm, corporate law department or government agency? (circle one)

- | | |
|-----------------------|---------------------|
| 1. Less than one year | 4. 7 to 9 years |
| 2. 1 to 3 years | 5. 10 years or more |
| 3. 4 to 6 years | |

32. How long ago did you or the firm, corporate law department or government agency last make large volume purchases of office furnishings? (circle one)

- | | |
|-----------------------|---------------------|
| 1. Less than one year | 4. 7 to 9 years |
| 2. 1 to 3 years | 5. 10 years or more |
| 3. 4 to 6 years | |

33. From what source(s) have you or your firm, corporate law department or government agency purchased office furnishings? (circle all that apply)

- a. Superstores
- b. Mail order catalog
- c. Local furniture dealers
- d. Used furniture stores
- e. Designers
- f. Other (please specify) _____

34. Please estimate the total annual expenditures in your firm, corporate law department or government agency for office furnishings. (circle one)

- | | |
|-----------------------|------------------------|
| 1. Less than \$1,000 | 4. \$10,001 - \$50,000 |
| 2. \$1,001 - \$5,000 | 5. More than \$50,000 |
| 3. \$5,001 - \$10,000 | |

35. On a scale of 1 to 7, with “1” being “not at all important” and “7” being “very important,” how would you rate the importance of each of the following items when you consider your firm’s, corporate law department’s or government agency’s OFFICE SPACE NEEDS? (circle one response for each item)

- a. Aesthetics
- b. Image
- c. Privacy
- d. Video conferencing
- e. Technology, i.e., computers
- f. Interactive open spaces
- g. Natural light
- h. Storage

36. On a scale of 1 to 7, with “1” being “not at all important” and “7” being “very important,” how would you rate the importance of each of the following items in terms of general work environment at your law firm, corporate law department or government agency? (circle one response for each item)

- a. Reception area furnishings
- b. Conference room furnishings
- c. General filing
- d. Personal desk
- e. Personal chair
- f. Personal filing
- g. Technology, i.e., computers
- h. Natural light
- i. Storage
- j. Accessories, e.g., coat racks, plants, lamps, etc.

37. On a scale of 1 to 7, with "1" being "not at all important" and "7" being "very important," how would you rate the importance of each of the following items when you consider your PERSONAL OFFICE FURNITURE? (circle one response for each item)

- a. Aesthetics
- b. Image
- c. Price
- d. Functionality
- e. Availability
- f. Ergonomics
- g. Technology

38. What percentage of your client contact time is spent in each of the following ways?

% of time

- 1. In my office _____
- 2. At my home office _____
- 3. On the phone _____
- 4. Video Conferencing _____
- 5. At the client's location _____
- 6. In a legal proceeding _____
- 7. Other (please specify) _____

39. When leasing or purchasing space in the past, who planned the interior space? (circle one)

- | | |
|---------------|---------------------------|
| 1. Contractor | 4. Interior Designer |
| 2. Lessor | 5. Yourself |
| 3. Architect | 6. Other (please specify) |

40. Do you have resources in your current budget allocated to any of the following purposes? (circle one response for each item)

- | | | |
|---------------------------|-----|----|
| 1. Business consulting | Yes | No |
| 2. Technology | Yes | No |
| 3. Architectural services | Yes | No |
| 4. Office furnishings | Yes | No |

41. Estimate the total annual expenditures in your firm, corporate law department, or governmental agency for office design during the past 2 years (physical layout and location of furnishings). (*circle one*)

1. -\$0-
2. Less than \$1,000
3. \$1,001 - \$5,000
4. \$5,001 - \$10,000
5. \$10,001 - \$50,000
6. More than \$50,000

42. On a scale of 1 to 7, with "1" being "not at all important" and "7" being "very important," how important is each of the following to your future legal needs? (*circle one response for each item*)

- a. Home office
- b. New technology
- c. Video conferencing
- d. Team work areas
- e. Satellite offices
- f. Expansion of existing space
- g. Larger private offices

43. From what law school did you graduate? _____

44. What year did you graduate from law school? _____

45. What is your gender? (*circle one*)

1. Male
2. Female

46. How old were you when you graduated from law school? _____

47. How many years have you practiced in your present community? _____

48. The following is a list of statements. On a scale of 1 to 7, with “1” being “strongly disagree” and “7” being “strongly agree,” how would you respond to each statement? (*circle one response for each item*)

I am satisfied with the practice of law as a meaningful part of my life

I am considering leaving the practice of law

49. On a scale of 1 to 7, with “1” being “never” and “7” being “always,” how often do you experience difficulty with each of the following? (*circle one response for each item*)

- a. Concentration
- b. Anxiety
- c. Sleep
- d. Depression
- e. Eating
- f. Anger
- g. Irritability
- h. Fatigue
- i. Isolation
- j. Hopelessness

Thank you very much for your help!

Please return your completed survey in the enclosed postage-paid envelope to:

William Mitchell College of Law
875 Summit Avenue
St. Paul, MN 55105
Attn: Survey

VII. APPENDIX C

**William Mitchell College of Law
1999 SURVEY OF PRACTICING ATTORNEYS IN
MINNESOTA:**

Attorneys in Practice Ten Years or Less

1. From what law school did you graduate? _____
2. What year were you admitted to the bar? _____
3. What is your gender? (*circle one*)
 1. Male
 2. Female
4. The following is a partial inventory of legal skills. On a scale of 1 to 7, with "1" being "not at all important" and "7" being "very highly important," how would you rate the *importance* of each of the listed legal skills? (*circle one response for each item*)
 - a. Ability to diagnose and plan solutions for legal problems
 - b. Ability in legal analysis and legal reasoning
 - c. Drafting legal documents
 - d. Knowledge of the substantive law
 - e. Library legal research
 - f. Computer legal research
 - g. Fact gathering
 - h. Oral communication
 - i. Written communication
 - j. Counseling
 - k. Instilling others' confidence in you
 - l. Negotiation
 - m. Knowledge of procedural law
 - n. Understanding and conducting litigation
 - o. Organization and management of legal work
 - p. Ability to obtain and keep clients
 - q. Sensitivity to professional ethical concerns

5. How well prepared were you in each of the following legal skills immediately after law school? (*circle one response for each item*)
Answers on a 1 to 7 scale, with “1” being “not at all prepared” and “7” being “very well prepared.”

- a. Ability to diagnose and plan solutions for legal problems
- b. Ability in legal analysis and legal reasoning
- c. Drafting legal documents
- d. Knowledge of the substantive law
- e. Library legal research
- f. Computer legal research
- g. Fact gathering
- h. Oral communication
- i. Written communication
- j. Counseling
- k. Instilling others' confidence in you
- l. Negotiation
- m. Knowledge of procedural law
- n. Understanding and conducting litigation
- o. Organization and management of legal work
- p. Ability to obtain and keep clients
- q. Sensitivity to professional ethical concerns

6. Do you believe the following legal skills can be *learned* in law school? (*circle one response for each item*) Choice of answers is “yes” or “no.”

- a. Ability to diagnose and plan solutions for legal problems
- b. Ability in legal analysis and legal reasoning
- c. Drafting legal documents
- d. Knowledge of the substantive law
- e. Library legal research
- f. Computer legal research
- g. Fact gathering
- h. Oral communication
- i. Written communication
- j. Counseling
- k. Instilling others' confidence in you
- l. Negotiation
- m. Knowledge of procedural law
- n. Understanding and conducting litigation

- o. Organization and management of legal work
- p. Ability to obtain and keep clients
- q. Sensitivity to professional ethical concerns

7. For each of the following legal skills, please write up to three sources where you acquired the skill. (*complete as many sources as appropriate*)

For example:

Source of Skill

1. General law school curriculum
2. Moot court/other competitions
3. Law related work experience in summers or during academic year
4. Your own experience
5. Continuing legal education courses
6. Training by another school
7. Legal practice simulations in law school
8. Law review experience
9. Client contacts through law school clinics
10. Observation of other lawyers
11. Advice from other lawyers
12. Observation of nonlawyers
13. Advice from nonlawyers
14. Training by product or service vendors
15. Other (Specify:_____)

(*write the number of each source on lines below*)

A. Ability to diagnose and plan solutions for legal problems

- source _____
- source _____
- source _____

B. Ability in legal analysis and legal reasoning

- source _____
- source _____
- source _____

C. Drafting legal documents

- source _____
- source _____
- source _____

D. Knowledge of the substantive law

- source _____
- source _____
- source _____

E. Library Legal Research

- source _____
- source _____
- source _____

F. Computer Legal Research

- source _____
- source _____
- source _____

G. Fact gathering

- source _____
- source _____
- source _____

H. Oral communication

- source _____
- source _____
- source _____

I. Written communication

- source _____
- source _____
- source _____

J. Counseling

- source _____
- source _____
- source _____

K. Instilling others' confidence in you

- source _____
- source _____
- source _____

L. Negotiation

- source _____
- source _____
- source _____

M. Knowledge of procedural law

- source _____
- source _____
- source _____

N. Understanding and conducting litigation

- source _____
- source _____
- source _____

O. Organization and management of legal work

- source _____
- source _____
- source _____

P. Ability to keep and maintain clients

- source _____
- source _____
- source _____

Q. Sensitivity to professional ethical concerns

- source _____
- source _____
- source _____

8. The following is a partial list of management skills. On a scale of 1 to 7, with “1” being “not at all important” and “7” being “highly important,” how would you rate the *importance* to your practice of each of the listed management skills? (*circle one response for each item*)

- a. Fee arrangements, pricing, billing
- b. Human resources, hiring, support staff
- c. Capitalization, investment
- d. Project and time management, efficiency
- e. Planning, resource allocation, budgeting

- f. Marketing, client development
- g. Technology, computers, communication
- h. Governance, decision-making, long-range strategic planning
- i. Interpersonal communications, staff relations

9. How well *prepared* were you in the following management skills immediately after law school? (circle one response for each item)
Answers on a 1 to 7 scale, with "1" being "not at all prepared" and "7" being "very well prepared."

- a. Fee arrangements, pricing, billing
- b. Human resources, hiring, support staff
- c. Capitalization, investment
- d. Project and time management, efficiency
- e. Planning, resource allocation, budgeting
- f. Marketing, client development
- g. Technology, computers, communication
- h. Governance, decision-making, long-range strategic planning
- i. Interpersonal communications, staff relations

10. Do you believe the following management skills can be learned in law school? (circle one response for each item) Choice of answers is "yes" or "no."

- a. Fee arrangements, pricing, billing
- b. Human resources, hiring, support staff
- c. Capitalization, investment
- d. Project and time management, efficiency
- e. Planning, resource allocation, budgeting
- f. Marketing, client development
- g. Technology, computers, communication
- h. Governance, decision-making, long-range strategic planning
- i. Interpersonal communications, staff relations

11. For each of the following management skills, please write up to three sources where you *acquired the skill*. (*complete as many sources as appropriate*)

For example:

Source of Skill

1. General law school curriculum
 2. Moot court/other competitions
 3. Law related work experience in summers or during academic year
 4. Your own experience
 5. Continuing legal education courses
 6. Training by another school
 7. Legal practice simulations in law school
 8. Law review experience
 9. Client contacts through law school clinics
 10. Observation of other lawyers
 11. Advice from other lawyers
 12. Observation of nonlawyers
 13. Advice from nonlawyers
 14. Training by product or service vendors
 15. Other (Specify: _____)
- (*write the number of each source on lines below*)

A. Fee arrangements, pricing, billing

- source _____
- source _____
- source _____

B. Human resources, hiring support staff

- source _____
- source _____
- source _____

C. Capitalization, investment, budgeting

- source _____
- source _____
- source _____

D. Project and time management, efficiency

- source _____
- source _____
- source _____

E. Planning, resource allocation

- source _____
- source _____
- source _____

F. Marketing, client development

- source _____
- source _____
- source _____

G. Technology, computers, communications

- source _____
- source _____
- source _____

H. Governance, decision-making, strategic or long-range planning

- source _____
- source _____
- source _____

I. Interpersonal communications, staff relations

- source _____
- source _____
- source _____

12. The following is a list of statements. On a scale of 1 to 7, with “1” being “strongly disagree” and “7” being “strongly agree,” how would you respond to each statement? (circle one response for each item)

I am satisfied with the practice of law as a meaningful part of my life

I am considering leaving the practice of law

13. On a scale of 1 to 7, with “1” being “never” and “7” being “always,” how often do you experience difficulty with each of the following? (circle one response for each item)

- a. Concentration**
- b. Anxiety**
- c. Sleep**
- d. Depression**
- e. Eating**
- f. Anger**
- g. Irritability**
- h. Fatigue**
- i. Isolation**
- j. Hopelessness**

Thank you very much for your help!

Please return your completed survey in the enclosed postage-paid envelope to:

William Mitchell College of Law
875 Summit Avenue
St. Paul, MN 55105
Attn: 1999 Survey